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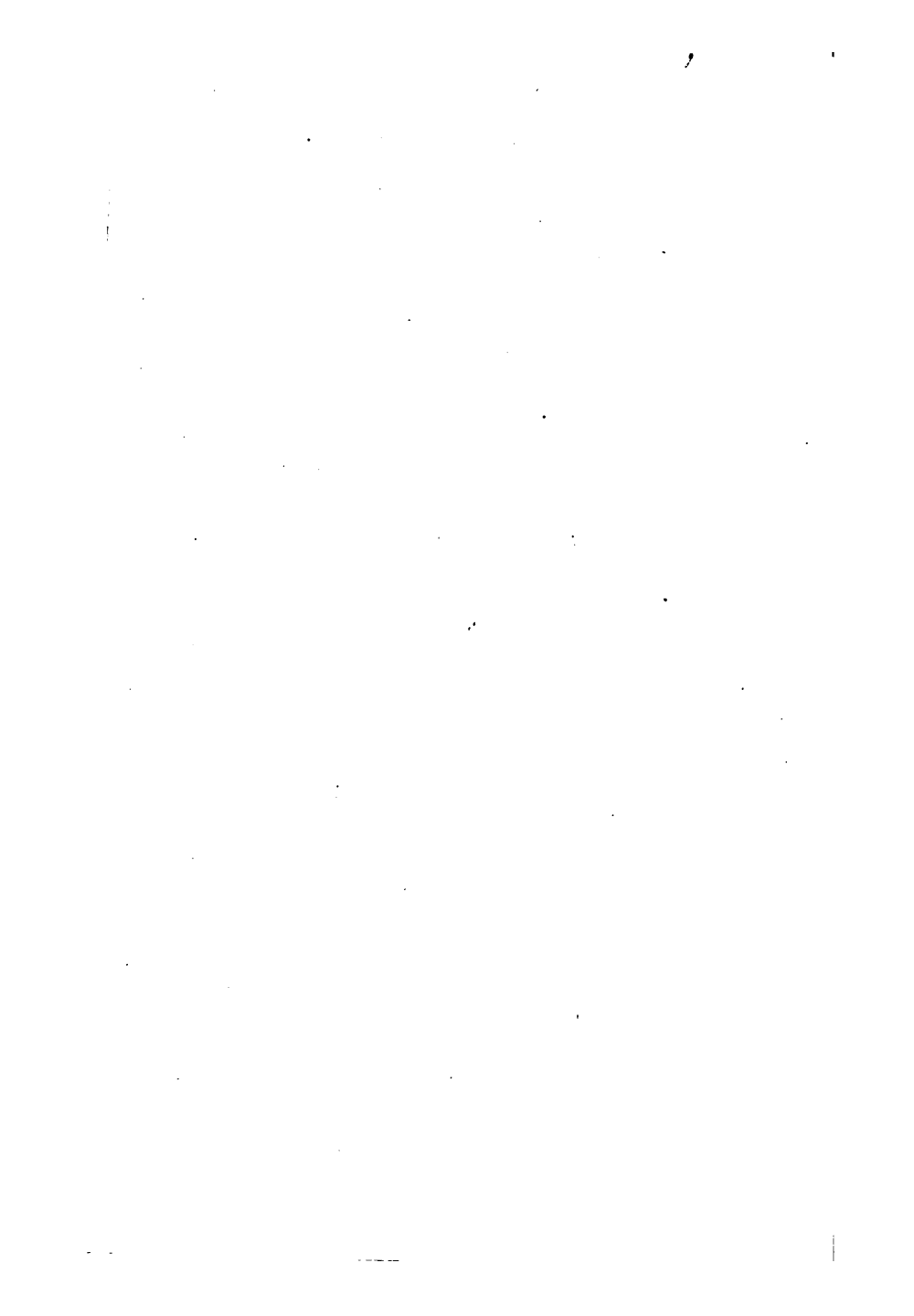
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De Fidiculis.

Opusculum II.

HODGES v. CHANOT.

Ed. Veron Allen.

LONDON.

1883.

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De Fidiculis.

Opusculum II.

HODGES AGAINST CHANOT.

BEING

The History of a Celebrated Case,

COLLECTED FROM

THE NEWSPAPERS AND FROM PERSONAL
OBSERVATIONS, AND ANNOTATED

BY

Ed. Heron Allen.

"Amicus Plato, amicus Socrates, sed magis amica Veritas."

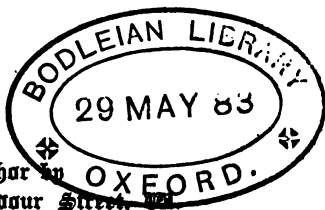


PART I.—*BIOGRAPHICAL.*

PART II.—*THE CAUSE OF ACTION.*

PART III.—*THE TRIAL.*

PART IV.—*THE OPINIONS OF THE PRESS.*



London:

Printed for the Author by

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1883.

174 9 92

This issue is limited strictly to 90 copies,
and is printed exclusively for private
circulation.

No. 19.....

To
The Honourable
Sir William Ventris Field,
to whose carefully considered decision
in

“The Great Violin Case”
the Violin Trade is indebted
for

a clear exposition of the Laws
by which it is governed,
This History thereof

is
Respectfully inscribed
by

The Compiler and Annotator.

Ed. Heron Allen

Praefatio.*

QUUM eas perlegissem optimas disquisitiones atque censuras quæ statim post Hodgesii causam in Chanothium per publica Diaria et rerum diurnarum Commentaria, quæ maxime auctoritate valent, vulgatæ fuerunt, ratus sum eos qui animum ad musicam adjiciunt, magnum detrimentum accepturos fore, si musicis compositionibus id contigisset quod ad scripta levia evenit fere omnia, quæ, etsi optima sunt, labentibus tamen annis in oblivionem veniunt. Quapropter iis præcipue qui Fidiculis canunt, vel eas docent, plurimum officii, nec non magni momenti opus ille mihi videtur delaturus fore, qui hujus celebris Causæ in quadam Fidicula versantis, digestam enarrationem scriberet atque vulgaret. Quod efficere ipse cum decrevissem, ea omnia colligere cæpi quæ potueram documenta, ut claram, ingenuam, certam opinionem assequer de lite deque litigatorum

* Quamquam Seneca dicat "Veritatis simplex oratio est, nihilominus, hac præfatione lecta, atque sententia Horatii pretiosa et firmissima in mente habita, "Quid de quoque viro et cui dicas sæpe caveto," lector intelligens facile percipiet quare præfatio, nec non meæ observationes in Latino, pro Patrio sermone scriptæ sunt. Ut dico infra, "Non ego ventosæ venor suffragia plebis." Licet pauci paucorum ad quos hoc opusculum missum est, meam præfationem measque notas intelligere poterunt, non, mehercule! aliud cuperem, Illos paucos, meas observationes et earum rationem ex æquo æstimare veri simile est, nam "Turpe est laudari ab illaudatis."

jure; hoc enim ut possem, sicut Horatius dicit, "Non fumum ex fulgore, sed ex fumo dare lucem."

Meum quidem iudicium (hoc decet confiteri) vehementer contra reum stabat, sed cum mihi valde cordi esset huic tam contumeliose habito homini æquam integramque rationem reddere, mea vici scrupula, eum adivi, et quæ de lite habebat documenta eum rogavi. Statueram enim pro viribus causam elucidare suam. Rem ille non modo non disquisivit, sed, ulla sine mora, omnia quæ sibi erant documenta libenter in potestatem posuit meam: mihi dedit præterea quamdam totius litis enarrationem, quam anno MDCCCLXXXI abhinc xix die Augusti usque ad xv diem Septembris ejusdem anni, quo Pybusii epistolam acceperat quæ aliquid molesti ei nuntiabat quod contigit paulo post [q.v. pag. 22].

Ego autem, priusquam hæc legerem documenta, ad Hodgesium scripseram, eumque rogaveram urbane ut quod Chanotius libenter fecerat, ipse quidem faceret. Rescripsit mihi statim Hodgesius, monuitque ut procuratorem adirem suum cui erat deliberandi facultas. Ei denuo scripsi "de negotiis tractandis non agi, ab his mentem abesse meam." Sed frustra: eandem mihi dat Hodgesius responsionem, meque ad procuratorem suum quem de re consuluerat denuo remittit. Huic alteræ epistolæ, priusquam tempus datum sit rescribendi, tertia succedit quæ (suadente Marco Pybusio procuratore suo) asperam repulsionem, ne dicam pertinacem, continebat, et mihi tanquam libelli famosi scriptori, juridicas controversias, Themidisque omnes minabatur terrores.

Tum Chanotii documenta versari incepti, atque tam magno ei adiuvandi captus sum desiderio, ut,

suadente Hillio, ad Joannem Cookium scripsi, qui habitat Springfield Gommersall prope Leeds (vide pag. 20), eumque exoravi ut mihi hujus causæ justæ inspiciendæ auxilium daret. Ille statim ad Hodgesium scripsit, eumque rogavit de sua sententia in hac materia. Ex illa re orta est recusatio haud, mehercle, præter naturam perurbana, sed firma et stabilita. Proinde in amaritudine animi Hilleium denuo adivi, et “Bona testimonia, dixi, palam fac, si libet, læsum esse Hodgesium ac commiseratione dignum; Chanotium autem nebulonem perfidum atque bipedem ostende.” Hoc vero ille facere nullo poterat modo. Me tum recepi ad publica diaria rerumque diurnarum commentaria, ut mihi in hac materia expedienda et vera Chanotii indole extricanda auxilium darent.

Vix enim aliquid de famosa causa vulgare inceperam quum Dom: Marcus Pybusius [qui resuscitationem causæ, in qua *consultor ejus victoriam reportaverat*, minus probavit] ad me scripsit.

Comiter litteras ejus accepi, eique rescripsi me hoc negotium derelicturum esse: ille autem respondit se causam integram ad procuratores ejus Nashium et Fieldium rejecisse. Plane ex litteris perceperam nulla colloquia amicorum ex usu nostro fore.

Propterea hoc opusculum scripsi justum ut mihi quidem videtur, nec iniquum “æquam servare, ut poeta dixit, mentem” et posteris Fidiculæ amantibus declarantem veram hujus causæ historiam atque negotii in quo illi quasi participes immiscentur.

“Hæc omnia meminisse juvabit, litteraque scripta manet.”

Opusculum hoc pro veritate inceptum, quolibet

modo judicent qui legent. "Veritas, a quocumque dicitur, a Deo est." Illi tamen, ut mea fert opinio, qui hoc opusculum accipient, privatim excussum,¹ has duas familiares sed significanter dictas apud Anglos formulas: 1º, "Arcades ambo." 2º, "Haud niger ita est Diabolus ut depingitur." Fortasse erit qui dicet me hæc chronica statim post judicium factum debuisse scribere atque sine ulla mora vulgare.

Me de hac re Taciti verbis facile excusare potero. "Veritas visu et morâ, falsa, festinatione et incertis valescunt."

Spero neminem me putare dolosum morem, qui in hoc negotio de fidiculis vendendis est maxime abominandus, esse defensurum.

Sunt quidam vafri homines qui signa Fidicularum de una in alteram solent transferre, quod etsi verum est ut documenta testantur (vide pag. 67 et 74), nemo tamen est inter Fidicularum cultores vel mercatores qui non amet hæc docti, sapientisque Judicis verba citare tamquam decretorias quasdam sententias (vide pag. 37), quibus nihil desiderabilius, nihil excellentius mihi videtur.

Meum enim putavi esse officium hæc tantummodo attingere, antequam pro paucis electis hoc Opusculum conficerem; idque præcipue ne quis mihi imputet studium partis.

At nunc bona cum lectoris venia, aggrediar hujus causæ meam sinceram enarrationem, quam ei vel maxime commendo.

St. Johns, Putney Hill, London, S.W.

1st January, 1883.

¹ "Non ego ventosæ venor suffragia plebis."—*Horatius*.

PART I.

Biographical.

DRAMATIS PERSONÆ.

I.—THE BERGONZI FAMILY.

As this case dealt largely with names of celebrated Violin-makers, which, though household words to the musical world, are comparatively unknown to the general reader, it may not be unadvisable to give a short notice of those on whom the case mainly rested, before proceeding to its actual consideration; beginning with Bergonzi.

CARLO BERGONZI, the first maker of the name, worked at Cremona between the years 1718 and 1755. A Francisco Bergonzi, mentioned by Sandys and Forster as living as early as 1687, was probably the father of Carlo. Carlo was the most celebrated pupil of the great Antonio Stradivari, and of all this celebrated maker's disciples came nearest to his master in the excellence of his work. Bergonzi is said to have made many of the later instruments signed "sub disciplinâ Stradivarii." Indeed, so closely did he approach his Great Example's perfection, and so faithfully did he carry into effect the master's instructions, that, partaking as it does of the characteristics of Stradivari, his work has often been assigned to the teacher instead of to the pupil. The value of Bergonzi's instruments has, since they have been truly appreciated (which is only of comparatively late years), risen enormously. The

wood of which they are made is particularly handsome, and as Bergonzi—*Haud inscius ac non incautus futuri* (*Virg.*)—left plenty of wood in them—a wise provision against coming centuries—they have steadily improved instead of deteriorating, and their tone is consequently remarkably sweet and penetrating. At first Carlo Bergonzi made his instruments almost exclusively of the Stradivari outline and model; but, though in after years he retained the flat symmetry of his master's modelling, he struck out an original outline of his own, which is especially distinguishable by its boldness, and the breadth and substance of the upper and lower bouts. One of their most noticeable peculiarities is Bergonzi's habit (from which he seldom deviated) of setting his *ff* holes rather lower than is usual in the tables of his instruments, the natural consequence of the increased breadth and angularity of his outline, which breadth (which occurs especially in the lower bouts²) also causes the centre bouts to be set at a rather greater angle than is usual. Bergonzi's *f* hole is a happy medium between the exquisite delicacy of the Stradivarian, and the rugged "character" of the Guarnerian *ff* holes. They are also set nearer to the edge of the table of the fiddle than is usual. Bergonzi certainly combined the merits of Stradivari with those of Guarneri; that is to say, he appreciated the merits of both, arrived by scientific and practical knowledge at the methods of their production, and produced a remarkably good attempt at a successful combination. His

² *Latera fidiculæ quæ Anglice dicuntur bouts singulatim vocantur, "latera supera," "latera media," et "latera infera:" centralia sive media latera vocantur etiam Gallica voce "Cs."*

scroll again, differing widely from that of his master, lacking the delicacy and beautiful proportions of the latter, is bold and original to an extent which exactly matches the "character" of the outline. The cutting is really flatter than Stradivari's, but the "eye" stands forth and asserts itself as if conscious of its own merits, in a manner which becomes the more striking when viewed from in front. The similarity between the peculiar cutting of the top and bottom of the Bergonzi *f* hole and the Guarneri *f* hole has sometimes caused the two makers to be confounded, but this is the only particular in which any similarity exists. Carlo Bergonzi used a varnish every bit as magnificent as that of either Stradivari or the best Guarneri; and as he sometimes laid it on very thick, and at others applied it very sparingly, it varies in hue from a pale red to a magnificent crimson, and is sometimes (but very seldom) a rich amber colour. The only fault of Bergonzi's varnish is that it was sometimes applied rather carelessly, and in the deeper-coloured fiddles often presents a clotted appearance, which M. Vidal³ graphically describes as "crusty" (*croûteuse*), an appearance nevertheless much admired by connoisseurs, but which I am reluctantly compelled to state, is but the beautiful but certain sign of impending decay.

Carlo Bergonzi has been, and is, best known and most celebrated by his magnificent violoncellos, which, however, being of rather too large a pattern, have been almost without exception cut down to modern requirements—an operation always to be deplored, as it destroys the nature and character of the maker's handi-

³ *Vide* A. Vidal: "Les Instruments à Archèt." Paris: 1876.

work, for, as the upper and lower bouts only can be reduced in this drastic improvement, the instruments are left, as Charles Reade says of the Grand Amatis, which some Goth amateurs are, and have been in the habit of having reduced⁴ "with the centre bouts of a giant and the upper and lower bouts of a dwarf." Consequently Bergonzi's violoncellos in their original condition are very rare and proportionately valuable, though he made more of them than of violins. One specimen of these instruments, of the date 1746 (said to be the finest known), was in the celebrated collection of Count Cozio de Salabue at Milan.

After the death of Antonio Stradivari and his sons, Bergonzi went to live and work in the house occupied by his master in the square then known as that of St. Domenico, but now called the Piazza Roma. This was in 1746, and he lived there and worked, *magni sub nominis umbrâ*, till his death, which some say occurred next year, but which others aver not to have been till 1755.

M. Vidal⁵ gives two excellent facsimiles of the labels of Carlo Bergonzi. Both are enclosed in ornamentally designed borders. The first runs—

"Anno 1733 Carlo Bergonzi
fece in Cremona,"

the 33 being written.

⁴ Carolus Reade in *Pall Mall Gasette*, Aug. 24, 1872. Sic denuo imprimitur: "Fidiculæ Cremonenses." Quatuor epistolæ in quibus fidiculæ describuntur, quæ in Museo *South Kensington* ostensæ sunt in 1873 (*sic*, lege tamen 1872). G. H. M. Muntz, Birchfield, Gloucester, 1873. Has Epistolas in *Pall Mall Gasette* denuo impressit.

⁵ *Vide* A. Vidal: "Les Instruments à Archèt." Parisiis: 1876.

The second—

“ Anno 17— Reiusto, e corretto da me
Carlo Bergonzi in Cremona.”

(See also the article from the *London and Provincial Music Trades' Review*, p. 74.)

MICHAEL ANGELO BERGONZI was the son of Carlo, and succeeded him in his business. His instruments were large, and after the Stradivari model. He worked from about 1750 to 1780. His work was by no means equal to that of his father, and his instruments are not much sought after by collectors. His ticket runs—

“ Michel' Angelo Bergonzi
Figlio di Carlo fece in
Cremona l'anno 17—”

NICOLÒ BERGONZI, another son of Carlo, worked contemporaneously with his brother, with whom he claims to be a pupil of Stradivari; but if this is the case neither he nor his brother in any way approached their father or their father's master. Nicolò, however, followed his father's style more than Michael Angelo, and worked better than his brother, though his wood and varnish were both poor in nature, and his work sadly lacked character, this defect being particularly noticeable in the scroll, and he seldom left his fiddles strong enough in the wood. His label, as reproduced in facsimile by M. Vidal, runs—

“ Nicolaus Bergonzi
Cremonensis Faciebat
Anno 1760,”

the 60 being written.

Michael Angelo had two sons who succeeded him ; these were :—

NICOLÒ BERGONZI and ZOSIMO BERGONZI, both of whom were inferior even to their father. Zosimo's ticket, however, which was an exact copy in style of those of his grandfather Carlo, runs, as facsimiled by M. Vidal, as follows, in a similar border—

“ Fatto da me Zosimo Bergonzi
l'anno 17— in Cremona.”

Of Nicolo Bergonzi, Mr. Reade⁶ says, “ Of Nicolo, son of Michael Angelo, I have a ticket dated 1796, but he doubtless began before that and worked till 1830. He lived till 1838, was well known to Tarisio,⁷ and it is from him alone that we have learned the house Stradivari lived in.

I have seen a most interesting mandoline, purporting by its label to be made by one “ Carlo Bergonzi, in Cremona, 1827.” Now this is *not* a bogus label, but undoubtedly an original, the design of which is copied from that of the *first* Carlo. If a Carlo did live and work during the first half of this century, it is a most interesting fact which has considerable bearing on this case. (*Vide* note 16, p. 20.)

II.—THE CHANOT FAMILY.

The first member of this family of any note was :—

FRANÇOIS CHANOT, born at Mirecourt in 1788, was a naval engineer, and as such is generally known as “ M. le Capitaine Chanot.” A full description of his works will be found hereafter on p. 77.

⁶ *Vide* note 4, p. 10.

⁷ *Vide* Art. in *Truth*, p. 68.

GEORGES CHANOT, brother of the preceding, is biographically discussed on page 77, from the work of Vidal before mentioned.⁸

He has two sons, upon whom the mantle of the skill of their father has descended—one now working in Paris; and the other, GEORGES CHANOT, the Defendant in the suit which forms the subject of this Opusculum, who is as good a maker as is now living. He exhibited a case of his instruments at the Exhibition of 1878 in Paris, and was rewarded by a Medal of Honour. His label runs—

“ Georges Chanot, London, Fecit anno 18— G. C.”

III.—JOHANNES FRANCISCUS PRESSEDA.

Of this maker, until comparatively recently, but very little has been known in this country, as is evidenced by the fact of his being absolutely unmentioned by nearly all authorities, as is stated in Mr. Hargreave's letter, page 84, except that he was a prolific maker who worked at Turin during the first fifty years or so of this century. Unknown, however, as he is in England, he has nevertheless been made the subject of a little Italian brochure, published on the occasion of the Vienna Exhibition of 1873, from which I glean the following facts:—He was born in 1777, at Leguia Berria, in Piedmont. He became (so says the pamphlet) a pupil of Storioni, and set up as a violin-maker on his own account, first at his native place, and subsequently (in 1820) at Turin, where, thanks to the patronage of Polledro the Violinist, he obtained a good reputation as

⁸ *Vide* A. Vidal: “ Les Instruments à Archèt.” Parisii: 1876.

a luthier. He died at Turin in 1854. Mr. Hill has several of his make. He copied Stradivari considerably, but, by giving an additional breadth to his instruments, he has made them so as to be easily confounded by the uninitiated with Carlo Bergonzi; thus exemplifying the proverb, "A little knowledge is a dangerous thing."

IV.—THE HILL FAMILY.

This is perhaps the oldest family of English Luthiers now represented, the first of the name being—

WILLIAM HILL, who worked about 1740. His work was very good, and I have a label of hi which runs—

"Will^m Hill. Maker.
in Poland Street near Broad
Street, Carnaby Market 17—"

JOSEPH HILL, his brother, who worked contemporaneously with him, is chiefly celebrated for his violoncellos and violas. My specimen of his ticket runs as follows—

"Joseph Hill, maker
at the Harp & Flute
in the Hay Market
17— London."

Joseph Hill had two sons, who worked from 1800 to about 1840. These were JOSEPH HILL (No. 2), and his more celebrated brother LOCKEY HILL. This maker's ticket is a small square and enclosed in a lined border, and reads—

"L. Hill
Violin & Violoncello
Maker
Boro'
London."

WILLIAM EBSWORTH HILL, the witness for the Plaintiff in this action, is probably well known to all who read this. He no longer makes instruments, but when he did they were excellent. His label is as follows, in a border like Lockey Hill's—

“William E. Hill
Maker. London.
18—”

A Violin and Tenor of his exhibited at the Exhibition of 1862 were rewarded by a medal. His son,

ALFRED EBSWORTH HILL, is a clever workman, and promises to perpetuate the high reputation of the Hill family in the annals of British fiddle-making.

V.—THE HART FAMILY.

This family is first heard of, in Wardour Street, (where it still exists,) in the person of John Thomas Hart, who was born in 1805, died in 1874, and was succeeded by his son George Hart, who is the author of two most excellent and magnificently got up works on the Violin.⁹ Both the Harts are celebrated more as dealers and connoisseurs than as makers, the elder Hart having been the means of introducing into England many of the celebrated fiddles now in the country.

Thus having shortly treated biographically, the men whose names will be constantly before us in the ensuing pages, we can turn to the consideration of the Great Violin Case with some foreknowledge of the makers concerned directly or indirectly with the matter in hand.

⁹ “Musicarii celeberrimi atque eorum imitatores:” auctore Georgio Hart, Londini, 1875. *Atque* “De Fidiculâ Musicâque suâ,” Londini, 1881.

PART II.

The Cause of Action.



"Quærenda pecunia primum
Virtus post nummos."—*Horatius*.

ON the 19th of August, 1881, a gentleman, a stranger to M. Chanot, who gave his name as Mr. Henry Hodges, of 31 Coburg Street, Gateshead, near Newcastle-on-Tyne, called at M. Chanot's shop in Wardour Street, stating that about a month previously he (M. Chanot) had repaired for him a Ruggieri Violin. After some conversation Mr. Hodges expressed a wish to purchase a speculative violin to make a profit on by selling again, and for that purpose M. Chanot showed him several instruments in the show-room, or *atelier*, which forms the inner, or back portion of the shop in Wardour Street. Amongst others Mr. Hodges was shown a violin which M. Chanot represented to be by Bergonzi,¹⁰ as at that time he verily affirms he believed to be the case. M. Chanot states that he called Mr. Hodges' attention to the fact that the Bergonzi was one of those, which, having been made by one of the later members of that family, preserve a very new and unworn appearance, and whose genuineness might for

¹⁰ Causa hoc capite præcipue versatur: Chanotius distinctissime affirmat (vide pag. 30 et 32, notamque 22), quod Hodgesius negat factum.

that reason be contested by some people. M. Chanot, however, expressed it as his opinion that the violin would sell very well, and ultimately Mr. Hodges became its owner for the sum of fifty-five pounds. No warranty was asked for or given,¹¹ but M. Chanot undertook to support Mr. Hodges with his opinion should the authenticity of the instrument be called into question by any intending purchaser. Mr. Hodges, however, made it a condition of the purchase that M. Chanot should give him a receipt for seventy-five pounds, being twenty pounds in excess of the sum which M. Chanot actually received by cheque.¹² It appears from what has transpired in the course of this and other similar cases that this is a condition frequently enforced upon dealers in articles of virtu by their customers, especially when these latter are amateur dealers, as would appear to be the case in the present instance.¹³ The further

¹¹ Mos est omnium mercatorum, quoties aliquam vendant fiduciam optimam, emptori auctoritatem scriptam præstare. Hæc autem auctoritas transire solet de possessore ad possessorem quotiescumque dicta hæc fiducula vendatur. Sed quoad hanc fiduculam de qua scribo, nulla a venditore data fuit auctoritas scripta emptori (vide adnotationem pag. 25). Hodgesius, fretus, ut mihi videtur, suâ in fiduculis summâ intelligentiâ, emptionem hujus fidiculæ periclitatus est, nullâ a venditore auctoritate datâ.

¹² "Scelere velandum est scelus."—*Seneca*.

¹³ Quoad hoc factum affirmat Hodgesius "Chanotium vehementer instituisse in dando accepto majore pecunia quam re vera acceperat." Sed notandum est Hodgesium emissee hanc fiduciam ut carius venderet deinde. "Credat judæus Apella, non ego."—*Horatius*. Mos est inter eos qui vel fiduculis vel aliis instrumentis musicis canere docent, falsa recipere accepta scripta a venditoribus: id æquum habetur. Justum reipsa mihi videtur esse quamdam tantum accipere mercedem pro venditione subvecta alicujus musici instrumenti; sed quia inter hujusmodi emptores perpauci sunt qui hanc

terms of the transaction were that the violin was to be sent to Mr. Hodges as soon as the cheque had been cleared by M. Chanot's bankers. Mr. Hodges expressed himself most satisfied with the purchase he had made, in proof of which the transaction was ratified and celebrated by an immediate bottle of Champagne and a subsequent dinner at the Criterion Restaurant. Next day Mr. Hodges arrived at M. Chanot's in a cab, and suggested that he should take the violin then and there with him, with a view to avoiding the cost of the carriage and insurance; however, M. Chanot would not be persuaded to this effect, and the two parted good friends.¹⁴

On the following day M. Chanot received the following letter:—

20 Front St., Tynemouth,
22nd August, 1881.

DEAR SIR,

As soon as you find that the amount has been placed to your credit, which should be to-morrow (Tuesday) at the latest, I would feel obliged if you would send off the Bergonzi addressed as per enclosed, as I want to shew it to a likely buyer who will wait

difficilem habent peritiam, hic mercedis dandæ improprius mos in fraudem evadit. Sunt enim qui, dato falso accepto, fiduciam discipulis venundant £3 vel £5, quam emerant 18s. Hoc dico de quibusdam magistris qui fiduciam canere docent. Egomet olim coegi quemdam musicarium commutantem fiduciam, quam venderat, cum alia magis cara, ut reciperet, unâ cum primâ fiduciam, syngropham trium guineas receptarum, de solido solvendo detrahendarum: ignorabam enim eum 18s. reipsa tantum accepisse.

¹⁴ "Hæ nugæ in seria ducent mala."—*Horatius*.

here to see it. Kindly see to its being properly packed and insured. I hope I will do well with it, which will lead to other business.

I would like to know your very lowest for one of the Strad's you shewed me, the one with the red varnish, dated I believe 1722. Of course, as usual, your price to me is *quite confidential*.

Yours truly,

HY. HODGES.

GEO. CHANOT, Esq.

P.S.—I won't be home (Gateshead) until the 28th inst.

The violin having hereupon been packed, insured, and sent off, the following letter reached M. Chanot:—

Gateshead, 26th August, 1881.

DEAR SIR,

The Bergonzi arrived safe I am glad to say, and I have tried it in my own way and find it very fine in tone, but as I mentioned to you when at your shop I don't think the varnish shews legitimate wear, which throws considerable doubt in my mind as to the genuineness of the fiddle.¹⁵ I, however, trust to your superior knowledge, and to your backing me up when it comes to business with any of my customers. I have sent it off last night to an expected buyer, referring him to you for opinion and warranty if necessary. Of course I did not tell him I bought it from you. I hope

¹⁵ Chanotius, quum Hodgesius hujus rei mentionem in taberna fecisset, nihil respondisse videtur, putans sane fiduculam non magis attritam esse quam expectari debet.

he may buy it. I will send you the 5s. (*for insurance*) along with your charge for repairs to Ruggieri, although I think you should pay the insurance.

Yours truly,

HY. HODGES.

MR. GEO. CHANOT.

The next step in this history was that Mr. Hodges wrote to Mr. J. L. Cooke of Gomersall, near Leeds, offering him a Carlo Bergonzi, *supported by Chant's warranty*, for £150. Mr. Cooke, who is a well-known and celebrated connoisseur and collector, said immediately, "This is not a Bergonzi at all; shew it to Hill and see what he says, otherwise I will not purchase" (*or words to that effect*). Accordingly Mr. Hodges sent it up for an opinion. Mr. Hill, the moment he saw it, said that it was a Pressenda, and reported accordingly to Mr. Hodges, who thereupon wrote the following letter to the Defendant:—

31 Coburg St., Gateshead,
10th Septem., 1881.

DEAR SIR,

The violin I purchased from you when in London, and which you sold to me as a genuine Bergonzi, has been proved by two leading dealers to be quite a modern violin, made about fifty years ago, and therefore of course not a Bergonzi.¹⁶ Consequently I have this day

¹⁶ Hoc loco Hodgesius mihi ignorare videtur (quod verum est) fidulam a Bergunsio factam fuisse, quamquam nondum abhinc annis quinquaginta. (Vide de Nicolò Bergonzi ad char. 12.)

returned the instrument to you, and must ask you to return me the amount in course of post.

Yours truly,

HENRY HODGES.

To Mr. GEORGE CHANOT,

157 Wardour St., London.

To this letter M. Chanot sent no answer, and on the 13th Mr. Hodges wrote the following letter:—

31 Coburg St., Gateshead,

13 Septem., 1881.

DEAR SIR,

I wrote you on the 10th instant, to which you have not yet replied. I have now to say that I shall place the matter in the hands of my solicitor if I do not hear from you by mid-day to-morrow (the 14th) that you intend sending me your cheque by first post.

Yours truly,

HENRY HODGES.

To Mr. GEORGE CHANOT,

London.

In answer to this M. Chanot wrote the following:—

15th Sept., 1881.

To Mr. HENRY HODGES,

Gateshead, Newcastle-on-Tyne.

DEAR SIR,

Only a few lines to let you know that the violin I sold you is here safe in my hands. You owe me five shillings for the insurance of it; if some day you wish it sent back and insured it will be ten shillings you shall

have to send me. As to taking back the violin on account of silly people's talk, I shall not do that. I can stand by that violin. I am only sorry I sold it to you too cheap. I never undid a bargain yet. The one of the Rev. Moore was an instance I dare say, but such a nasty way of dealing I hope will never happen to me again.¹⁷ All that I reasonably can do for you by and by, if you do not succeed with the violin, is to try to sell it for you. Meanwhile I remain, dear Sir,

Your obedient servant,

GEORGES CHANOT.

On the following day M. Chanot received the following communication from Mr. Hodges' Solicitor:—

WM. MARK PYBUS, Post Office Chambers,
Solicitor. St. Nicholas Square,
Newcastle-on-Tyne,
Sept. 15th, 1881.

SIR,

Mr. Henry Hodges of 31 Coburg St., Gateshead-on-Tyne, has consulted me with reference to a violin he purchased from you warranted to be by Bergonzi,¹⁸ and in an excellent state of preservation.

He has also handed to me your receipt for £75 and copies of the letters he has written you, but to which you have not replied.

Had the violin been according to the representations

¹⁷ In hac causa clericus duas fidiculas emit: postea eum facti piguit, atque fidiculas remisit, promissum pecuniæ numerandæ revocans quam Chanotius, heu! nondum obtinuerat. "Semper nocet differre paratis."—*Lucanus*.

¹⁸ *Vide* notam 11.

and warranty, my client could have disposed of it for a very large profit, and this, as he stated to you at the time, was his object in purchasing.

It is, perhaps, difficult to say to what precise sum he is entitled, but if you will remit me the £75 by return of post I will send you a receipt in discharge.¹⁹ If you do not choose to do this, I will on Saturday morning commence an action against you for a large sum. This without prejudice.

Yours truly,

W. MARK PYBUS.

Mr. GEORGE CHANOT,
Dealer in Violins,
157 Wardour St., Oxford St.,
London, W.

This letter was followed on the 17th instant by a Writ in the action of Henry Hodges, Plaintiff, and George Chantot, Defendant: 1881, H. No. 4105, taken out by Messrs. Nash and Field of 12 Queen St., E.C., Mr. Pybus' London agents. By endorsement on this writ the Plaintiff claimed—

1. £75 for money had and received by the Defendant to the use of the Plaintiff.²⁰
2. Damages for breach of warranty.²¹
3. Costs of action.
4. Further and other relief.

¹⁹ Non possumus ut plane patet, dicere Pybium de industria falso rumore pecuniæ pro fidicula numeratæ deceptum fuisse. Factum manet Hodgesium falsa pecuniæ acceptæ syngrapha confisum, hac epistola viginti nummos aureos (£20) plusquam fidiculæ pretium, per procuratorem postulavisse.

²⁰ Vide notam 19.

²¹ Auctoritas nulla est (Vide Notas 11 et 23).

On the 31st October the Plaintiff delivered his Statement of Claim, which was worded as follows :—

In the High Court of Justice, 1881, H. No. 4105.
Queen's Bench Division.

Between HENRY HODGES—Plaintiff,
and
GEORGES CHANOT—Defendant.

STATEMENT OF CLAIM.

1. The Plaintiff is a commercial clerk, and a private dealer in violins, residing at 31 Coburg St., Gateshead-on-Tyne, and the Defendant is a dealer in violins, carrying on business at 157 Wardour Street, Oxford Street, in the county of Middlesex.

2. On or about the 19th day of August, 1881, the Plaintiff called on the Defendant, and the Defendant then shewed the Plaintiff a violin, which the Defendant falsely and fraudulently represented to be made by Carlo Bergonzi, thereby intending to induce the Plaintiff to purchase the said violin, though at the same time the Defendant well knew that the said violin was not made by Carlo Bergonzi.²³

3. Relying upon the aforesaid fraudulent representation of the Defendant, the Plaintiff paid the Defendant the sum of £55 for the said violin.

²³ Dolendum est quod horum, ante causam, colloquium cognoscere non possumus ; non testis in neutram partem proclinans neque relatio exacta adest. Verum tamen hoc loco primum nomen Carlo Bergonzi scriptum invenitur, quod factum in hac causa summi ponderis est. (*Vide* notam 10, pag. 16.)

"Pluris est oculatus testis unus, quam auriti decem."—*Plautus*.

4. The said violin was not made by Carlo Bergonzi. *(The Defendant denies that anything to this effect had been stated.)*

5. By reason of the Defendant's false and fraudulent representation the Plaintiff has been unable to dispose of the said violin in the course of his business as such private dealer as aforesaid, and has lost the profits which he would have made by such resale, and such loss of profits he estimates at £95, the difference between the said sum of £55 and the sum of £150 which he would have made by such resale as aforesaid.

6. In the alternative the Plaintiff says that on or about the 19th day of August, 1881, the Defendant sold to the Plaintiff, warranting the same to be made by Carlo Bergonzi, and the Plaintiff purchased the said violin with the said warranty²³ for the sum of £55, which the Plaintiff duly paid.

7. The said violin was not made by Carlo Bergonzi, and the Plaintiff has in consequence of such breach of warranty sustained £55 damages.

The Plaintiff claims £150, being the sum of £55 paid as aforesaid, and the said sum of £95 loss of profit with interest thereon at 5 per centum per annum till judgment.

Delivered this 31st day of October, 1881, by Nash

²³ Iterum vide notam 11. In hac causa res est maximi momenti nullam auctoritatem (ut verbum auctoritatis in taberna acceptum, et in nota 11 expositum est) fuisse datam. Accusator, ut omnes videre possunt, numquam post hoc tempus falsæ £75 acceptæ syngraphæ mentionem facit, quam suo emptori, ut probabile est, ostendere voluit: Bene Horatius dixit, "Qualis ab incepto processerit et sibi constet."

and Field of 12 Queen Street in the City of London,
Agents for William Mark Pybus of Newcastle-on-Tyne,
Solicitor for the Plaintiff.

On the 30th January, 1882, the question of a compromise arose, as is shown by the following letter from Mr. Kisch, the Defendant's Solicitor, to the Defendant :—

3 Chancery Lane,
30th Jan., 1882.

YOURSELF *v.* HODGES.

DEAR SIR,

I saw the Plaintiff's solicitor this afternoon, and in course of conversation he suggested that possibly the action might be settled without going into Court by paying £55 and the Plaintiff's costs. This, of course, I could not consent to, but informed him that, inasmuch as you had three people ready to take the violin at the same price, you would be willing to return the amount, each side paying his own costs. The solicitor has promised to communicate with his client and let me know result.

Yours truly,
A. KISCH.

G. CHANOT, Esq.

It would have been most wise, and to the interests of all parties, had this course been adopted;²⁴ but M. Chanot elected not to do so, presumably on the principle *Fortis cadere, cedere non potest*, and wrote to his

²⁴ "Quod vos jus cogit, id voluntate impetret."—*Terentius*.

solicitor to that effect, whereupon the latter answered as follows :—

3 Chancery Lane,
1st Feb., 1882.

YOURSELF *v.* HODGES.

DEAR SIR,

In reply to your letter I have withdrawn the offer. The action will probably come on for trial on Saturday.

Yours faithfully,
A. KISCH.

G. CHANOT, Esq.

The case did not, however, come on for trial for some weeks after the last letter. On the 7th Mr. Kisch wrote the following letter to his client :—

3 Chancery Lane,
7th Feb., 1882.

YOURSELF *v.* HODGES.

DEAR SIR,

After seeing you I had a long interview with Mr. Hart,²⁵ at which I was very favourably impressed. Mr. Hart has been subpœnaed by the other side, but he will render them no assistance. If called, he will say that the violin *is worth to him* £55; that it is a very good Italian violin, and very superior in make to those made by the later Bergonzis; that had it been a Carlo Bergonzi he himself would give £150 for it; also that it may be a later Bergonzi. He informed me that he called upon you because he found that he had been imposed upon and did not like to see unfair play.

²⁵ *Vide* Notam 9.

Upon the whole he received me in a most friendly manner, and I am therefore very glad that I called upon him. We shall most likely be in Thursday's list, as there are now only six before us.

Yours faithfully,

A. KISCH.

M. G. CHANOT.

Now this is a most interesting and important letter, expressing as it does the opinions of one of the greatest connoisseurs in the country, and it must occur to the reader that if read in court, or if Mr. Hart had appeared as a witness on either side, and spoken to the above effect, the complexion and result of the case might have been very materially altered.²⁶

On February the 9th M. Chanot received notice that the trial would come off on the following day.

On Friday and Saturday the 10th and 11th February this case came on for trial,²⁷ the proceedings at which, as reported by the papers and eye-witnesses, were as follows.²⁸

²⁶ Hartius, initio litis vocatus fuerat in jus ut testaretur, sed infeliciter ab urbe aberat eo tempore, et nescio qua de causa vadium non obivit.

²⁷ "Quem semper acerbum

Semper honoratum (sic Di voluistis) habebo."—*Virgilius*.

²⁸ I have endeavoured to obtain a verbatim report, but find that no shorthand note of the trial was taken by any one.

PART III.

Report of Trial from
Newspapers.²⁹

"Quicquid erit—superanda omnis fortuna ferendo est."—*Virgilius*.

QUEEN'S BENCH DIVISION, FEBRUARY 11TH.

(Sittings at Nisi Prius before Mr. Justice FIELD and a
Common Jury.)

HODGES *v.* CHANOT.

THIS was an action for a breach of warranty to recover £55, the amount paid for a violin on the alleged misrepresentation by the Defendant that it was by Carlo Bergonzi.³⁰ It arose out of the purchase of a

²⁹ Hæc narratio non ab uno diario sumpta est, sed planissima est historia, quam ex diariis publicis die decimo tertio et postea publicatis, summa cura collegi. Re perspecta atque cognita nullas narrationes aut famas meæ memoriæ solum cognitās (homo enim sum, etsi in neutram partem proclivis) accipere constitui, sed solum verba duarum factionum aut in unam aut alteram partem proclinantium. Debet ut dicit Horatius, "Verbum verbo reddere, fidus interpretes."

³⁰ Omnes fere narrationes hunc musicarium nominatim appellant Berganzium. (De hoc vide commentarium inscriptum *The London and Provincial Music Trades Review* ad char 75.)

violin by the Plaintiff from the Defendant, a well-known dealer in such instruments of Wardour Street, Oxford Street. The Plaintiff is a commercial clerk, living at Gateshead-upon-Tyne, and who adds to his income by dealing in violins. Mr. R. T. Reid and Mr. C. C. Scott appeared for the Plaintiff, and Mr. Henry Kisch for the Defendant. Some time ago Mr. Hodges was at the Defendant's shop, when he was shown a violin which, according to his evidence, was represented to be by Carlo Bergonzi, of Cremona, a celebrated maker of the seventeenth century.³¹ Furthermore there was a label in the inside of the instrument bearing these words—"Carlo Bergonzi, Cremona, fecit 1742." In the first instance the Defendant asked £150 for the violin, but, after some bargaining, he abated his price to £55, for which amount the Plaintiff gave a cheque.³² Defendant, however, gave a receipt for £75, for the reason, as he was alleged to have stated at the time, that he did not wish³³ anybody to know he had sold the instrument for so small a sum.³² When Mr. Hodges got back to Gateshead he communicated with a customer who was desirous of obtaining a Carlo Bergonzi, and the violin purchased of the Defendant was consigned on approval, £150 being mentioned as the purchase price. Whilst the instrument was in the hands of this third party, a doubt arose as to its genuineness, and experts having decided against it, the Plaintiff wrote to Mr. Chanot informing him of the discovery, and demanding the return of the £55, the

³¹ *Vide* notas 11 et 22.

³² *Vide* Chanotii in *The Times* epistolam, pag. 66.

³³ "Quod petiit spernit, repetit quod nuper omisit."—*Horatius*.

violin being in the meantime sent back. The instrument, it was alleged, was comparatively modern—not more than fifty years old—and consequently of less value than a Bergonzi.³⁴ In reply to the Plaintiff's demand for the return of his money, Defendant at first wrote no answer, but subsequently wrote, "As to taking back the violin on account of silly people's talk I shall not do that, and I only regret I sold it you so cheap," whereupon the present proceedings were instituted.

The Plaintiff having deposed to the facts stated by counsel, Mr. William Ebsworth Hill, violin-dealer of Wardour Street, was called to give evidence as to the value of the instrument. He pledged his reputation that the violin was not made by Carlo Bergonzi, who was the finest maker of that name, nor by any other member of the Bergonzi family. Bergonzi, he said, had several sons, but the father was the most celebrated maker, and his productions could not be mistaken by an expert. He was morally certain the instrument was made by Johannes Franciscus Pressenda, of Turin—a maker of about half a century ago. It was undoubtedly a very fine specimen of its sort, and he as a dealer would give from £25 to £30 for it. It was worth that to sell again.³⁵

³⁴ *Vide notam* 16.

³⁵ *Factio quæ reum haud volentem sustinet, in Hillium ob factos ejus in hac causa multam invidiam conjecit, et verba minima rei auctoritate munita, locuta est. Ineptum esset causam mercatoris Gulielmi Ebsworthii Hillii sustinere, qui notus omnibus ob integritatem in societate et in commercio, judex, ni fallor, artis sagacissimus est. Quod magis evidens esse potest quam officium Hillii erga publicum et clientem in hac materiâ? Si enim vel artis causa quam ipse profitetur, vel Commericii gratia (propter pactionem cum aliis*

MR. KISCH: If it were yours what would you sell it for?

WITNESS: Well, that would depend on the customer. (Laughter.)³⁶

This closed the case for the Plaintiff. Mr. Kisch addressed the jury for the Defendant, who, he said, had been in business twenty-two years, and was now in substance charged with having Defrauded the plaintiff.³⁷ For the defence Mons. Chanot was put into the box. He denied that he represented the violin to be a Carlo Bergonzi; he knew it was not, and would not have sold it as such; but he knew there was a label inside it with Carlo Bergonzi's name on it.³⁸ He believed then and now that it was by one of the Bergonzi family, but he gave the Plaintiff no warranty on the point. The name of "Carlo" Bergonzi was not mentioned at all. The trade price of a "Carlo" Bergonzi was from £80 to £150. The violin sold to the Plaintiff was worth all

initam) conatus esset, contra sententiam suam, utras fulcire partes, haud dubium est quin ad defraudandum conspiravisset; nam, ut Leges pronuntiant, *fraus est celare fraudem*: ideo, neque amicis ejus, neque clientibus aliquid est causæ cur ob hanc præposteram sententiam jure indignentur. Hillius, quoad se, quum sententiam pronunciaverat, cuja hæc fidicula esset, vel cujatis, vel cujusmodi, ne quidem sciebat.

³⁶ Apud vulgus ignarosque musicæ, hoc Ovidii valet magna auctoritate dictum, *parva leves capiunt animos*. Valeant isti, sed æquum est quidem, Mehercle! ut musicarii vel qui fidicularum commercio funguntur, iis præsertim qui has aut tractant, aut negotiantur, aut docent, minore vendant pretio quam cum alienis atque musicæ ignaris solent.

³⁷ "Vir bonus est quis?"

Qui consulta patrum, qui leges juraque servat."—*Horatius*.

³⁸ Decipiendi enim vero ii sunt qui decipi volunt; haud inhonestum hoc mihi videtur. (*Vide Truth*, ad char 67 nec non *The London and Provincial Music Trades Review* ad char 74.)

the money paid for it. He bought it in Paris from a picture dealer, whose name he did not recollect, for about £18, and it was shown by him at the Paris Exhibition about two years ago. He made out Mr. Hodges' receipt for £75 at the request of the Plaintiff, who said "it would look better." The Plaintiff had never looked at the inside label at all. He admitted that he had placed the label "Carlo Bergonzi, Cremona, fecit 1742," inside the violin.³⁹ It was the custom to put the names of celebrated makers on instruments not of their own production; customers would not purchase unless there was a name on them.⁴⁰ (Laughter.)

The JUDGE: Where did you get the label from?

DEFENDANT: Oh, we always have some about.⁴¹ (Laughter.) I took this particular label from an old instrument (*a mandolin*), and put it in when I repaired this one.

The JUDGE: It seems to me that this is not at all a creditable mode of dealing; why did you do it?

DEFENDANT: Because, as I have said, people will not buy a violin without a name upon it.⁴² (Laughter.)

The JUDGE: How many of these labels have you got?

DEFENDANT: Some fifty of one kind and another.⁴³

In reply to further questions the Defendant admitted that he had labels bearing the names of

³⁹ "Gaudetque viam fecisse ruinâ."—*Lucanus*.

⁴⁰ *Vide* note 38.

⁴¹ "Veritas nihil veretur nisi abscondi."—*Juris Maxima*.

⁴² "Quis enim virtutem amplectitur ipsam,
Præmia si tollas?"—*Juvenal*.

⁴³ "Non numero hæc judicantur sed pondere."—*Cicero*.

Stradivarius, Amati, and other celebrated makers in stock.⁴⁴

THE JUDGE: Are you a maker of violins?

DEFENDANT: Yes, my lord.

THE JUDGE: Has there been in modern times in Paris an art or business of reproducing old models of violins in which your father was engaged?⁴⁵

DEFENDANT: Yes, my lord.

THE JUDGE: Your father was one of the originators of that school?

DEFENDANT: Yes. There is a large manufactory at Mirecourt, in Lorraine, for the production of violins.

THE JUDGE: I see no harm in that.⁴⁶ One may produce a copy of any celebrated work and do no harm so long as the fact of its being a copy is stated.⁴⁷

⁴⁴ "Veritatis simplex oratio est."—*Seneca*.

Sequens epistola quam abhinc multis annis Comes Harrington, famosus propter suam collectionem fidicularum, scripserat ad Chanotium, multa, paucis verbis, de fidicularum appendiculis dicit.

Harrington House,
Craig's Court, Charing Cross.

DOMINE MI,

Ignoras, opinor, et ego plane ignoro, nomen musicarii qui fidiculam fecit. Nihilominus, si est tibi appendicula quam intus glutinare possis cum nomine alicujus musicarii quod tibi propemodo videatur conjicere, id factum cura; dabit dignitatem fidiculæ.

Tuus,

HARRINGTON.

P.S.—Si nulla est tibi appendicula, mihi fac ut mittas nomen alicujus musicarii famosi.

Quid fures faciunt, audent cum talia domini.—*Virgilius (transpositus)*.

⁴⁵ "Miserum est aliorum incumbere famæ."—*Juvenal*.

⁴⁶ Quam prope ad crimen, sine crimine.

⁴⁷ Haud dubium est quin modus nunc provocans, nunc facetiosus, nunc fere versutus quo reus ad causam suam tuendam usus est, plurimum ei nocuisset in lite. "*Vultus est index animi*," ut antiquum

JOSEPH ANTHONY CHANOT,⁴⁸ son of the Defendant, deposed that he was present at the interview between his father and the Plaintiff. He stated that when the Plaintiff asked the price of the instrument his father replied, "It is a very fine instrument; I want £75 for it." It was not true that witness represented to the Plaintiff that the violin was a Carlo Bergonzi. He did not hear the name of Carlo mentioned during the transaction. In cross-examination by Mr. Reid witness said he did not know that a Carlo Bergonzi was worth about six times as much as any other Bergonzi. He himself was not in the habit of putting old labels in modern violins.

THE JUDGE: But do you take the labels from old violins and put them in others?

WITNESS: We do.

THE JUDGE: That is a practice with you, is it?

WITNESS: Well, no; we only do it when my father thinks it necessary.

MR. REID: What makers' names do you use?

WITNESS: We put any name in.

MR. REID: How often, for instance, have you put a Stradivarius label in a modern violin?

WITNESS: I recollect once.

MR. REID: Have you any labels for that maker?

WITNESS: Oh, yes.

sonat dictum. Si enim Chanotius forum juridicum nosset Anglicum se ipsum in causa non læsisset sua: nam, ut Horatius dicit. *Dulce est desipere in loco*, nunc autem, *Flebit et insignis totâ cantabitur urbe*.

⁴⁸ Hic testis in publicis generaliter appellatur "Georgius Chanotius (junior);" quod falsum est omnino. *Georgius A. Chanotius* est quiddam florens musicarius qui Mancunium inhabitat.

Mr. REID : How many labels have you ?

WITNESS : I cannot tell you. My father keeps them in a small box. There are some forty or fifty.

Mr. REID : Do you often use the name Bergonzi ?

WITNESS : Not often.

Mr. REID : Do you remember any other violins upon which the name "Bergonzi" has been put ?

WITNESS : I do not.

Mr. Kisch, in cross-examination, proposed to ask witness if it were not a common practice to use names in the manner described.⁴⁹ Mr. Justice Field, however, said he would tell the jury that it did not matter one straw as regarded this case, whether all the dealers in violins in Wardour Street put false labels in them or not,⁵⁰ or whether a fraudulent dealer put a false mark on a piece of plate, or whether a china dealer put the Dresden mark on a teapot that was not Dresden ; it was a wrong and a bad transaction.⁵¹ In reply to his Lordship, witness said after the violin came into their shop a fresh neck and new fittings were furnished to the instrument.⁵² He believed the instrument to be a Bergonzi ; his father told him it was, but did not mention which Bergonzi.

Mr. WILLIAM BEADELL, of 8 Vere Street, who

⁴⁹ "Sed nunc non erat his locus."—*Horatius*.

⁵⁰ "Non enim tam auctoritatis in disputando quam rationis momenta quærenda sunt."—*Cicero*.

⁵¹ *Vide* notam 38. "Quæ fuerant vitia, mores sunt."—*Seneca*.

⁵² Forum judicarium, audita testis declaratione de mutationibus sive de additionibus factis ad fiduculam (idest de pessulo æneo, de manubriolo, de chordis, de scamnulo quod chordas extollit, de paxillis, de acicula et de parte quæ aciculam fert), putavit fiduculam, ob hanc causam, multum amisisse bonitatis suæ. Vanitas hujus sententiæ nota est omnibus musicariis.

stated that he was an amateur violoncellist,⁵³ and the possessor of some forty violins, was called, and gave it as his opinion that the violin sold to the Plaintiff was worth £40 at least; he did not think £60 was an exorbitant price.

This being the whole of the evidence, Mr. Kisch proceeded to remark to the jury that it was necessary, in the interests of violin-dealers in general, that he should now say a few words on behalf of his client. (Laughter.) He contended that the placing of a label in the violin was an insignificant matter. Defendant told the Plaintiff the instrument was a Bergonzi, and to the best of his belief it was such—that was to say, that it was made by a member of the Bergonzi family. It had been clearly proved that the violin was at least a valuable one, which was an important factor if the jury came to consider the question of damages. If transactions of this kind were to be set aside at the whim and caprice of purchasers, there would be no guarantee for the due performance of contracts.

Mr. Reid, for the Plaintiff, said he had never contended that the violin was not a valuable one. What he did say was that it was not a Carlo Bergonzi, and that the whole transaction was simply fraud. The practice of putting false labels into violins was a nefarious one, and he asked the jury by their verdict to put a stop to it.⁵⁴

The Judge, in addressing the jury,⁵⁵ said in regard

⁵³ In nearly all the reports of this case, this gentleman was erroneously described as a dealer in violins.

⁵⁴ Vereor enim ne qui dicuntur jurati ad majorem inquisitionem faciendam, possint unquam veterem hunc abusum pellere per decretum quamquam a hoc beneficium vel maxime optatur.

⁵⁵ Hoc præclarum atque peritissimum judicium magna semper cum oblectatione ab iis omnibus legetur qui fidiculas vel tractant, vel

to this case it did not matter one straw whether all violin-dealers put false labels in their instruments or not.⁵⁶ In selling an article a man had a right to give a fair description of it, but it must be the truth, and the buyer had the right of satisfying himself as explained by the maxim *caveat emptor*. No person was justified by law in telling lies in order to get rid of their goods. If they did they exposed themselves to an action; and if two or more were concerned in the misrepresentation they would run considerable danger of being made amenable to the criminal law.⁵⁷ The rule of the law was if you were making a contract and you intended to rely upon a warranty, the warranty must be a part of the contract. A warranty meant an assertion made in the course of a contract, and one of its conditions, that the articles did, or did not possess some quality of importance to the contract. The law went further, for every one knew that when preliminary negotiations took place things were generally said and stated about the article to be purchased. If then in the end the article was bought, and it subsequently appeared that any of these puffs were said by the vendor, he knowing them to be untrue, the law of England called that a fraud, and the

docent, vel faciunt, vel commercio earum funguntur; nam summum studium quod in hac causa enodanda adhibitum fuit a sapientissimo iudice plane ostendit ejus magnam eruditionem quam ipse sibi obtentam curavit non in foro juridico (quod possibile non erat), sed suis privatis sumptibus. Hoc nihil generosius, nihil laudabilius mihi videtur.

⁵⁶ "Quæstio fit de legibus, non de personis, publicumque bonum privato est præferendum."—*Juris Maxima*.

⁵⁷ "Sæpe intereunt aliis meditantes necem," dicit Phædrus; atque ut dicit Horatius: Quid leges sine moribus, Vanæ proficiunt?

contract was void.⁵⁸ His Lordship then informed the jury that at the end of the sixteenth century a school of high art had sprung up in Italy, and among other works the violin was produced. Cremona was the centre of this trade. Every one had heard of a Cremona fiddle. The great masters of that age expended all their energy and skill in shaping and controlling the various curves and shapes of the violin so as to obtain the finest tone. Carlo Bergonzi, the pupil of the master Stradivarius, appeared to have adopted a form of violin easily recognizable by adepts. Among others of that school were Franciscus Rogerius, Peter Guarnerius, and Thomas Balestrieri. The violin in question then bore a label stating it to be by Carlo Bergonzi.

He regretted that in this case Counsel should have sought to justify a misrepresentation on the ground that it was the Custom of the Trade.⁵⁹ He summed up by telling the jury that if the Defendant had knowingly made a false representation to the Plaintiff whereby he was induced to purchase the instrument it was a gross fraud, and the whole of the transaction, according to the law of this country, was void. Mr. Reid, the learned Counsel for the Plaintiff, who, he was happy to say, was too sensible and honest a man, and too skilful an advocate to veil his meaning, had distinctly asked them to find fraud on the part of the Defendant, but that was an issue which the jury had to determine.

The jury, without leaving the box, after a short con-

⁵⁸ Quando aliquid prohibetur, prohibetur et omne per quod devenitur ad illud.—*Juris Maxima*.

⁵⁹ Nobis docendum est populum vanos oblivisci rumores. At hanc noscimus omnes juris maximam, "Vetustas pro lege semper habetur."

sultation, found that the Defendant had represented to the Plaintiff that the violin was by Carlo Bergonzi knowing that it was not, and they returned a verdict for the amount paid for the violin, with £15 damages, making in all £70.

The JUDGE: I quite agree with the verdict. I think it is much to be deplored that people who deal in violins do not deal fairly with one another,⁶⁰ instead of, as in this case, placing a fictitious label in a violin.⁶¹ That is a very wrong thing, and I yet hope to hear that it cannot be justified by usage.⁶²

The learned Judge then signed judgment for the Plaintiff for £70 and costs.⁶³

⁶⁰ "Virtutem videant intabescantque relictâ."—*Juvenal*.

⁶¹ "Principiis obsta, sèro medicina paratur

Cum mala per longas convaluere moras."—*Ovidius*.

⁶² Auspicium melioris ævi; dicit autem Seneca "Pars sanitatis velle sanari fuit," item "Sera nunquam est ad bonos mores via."

⁶³ "Non equidem invideo, miror magis."—*Virgilius*.

PART IV.

The Opinions of the Press.

"Opinionum commenta delet dies naturæ judicia confirmat."—*Cicero*.

As might be expected the Daily papers nearly without exception published leading articles on this "Cause Célèbre," the principals of which I will now reproduce more or less *in extenso*.

On the 13th February (the Monday after the trial, which took place on the Friday and Saturday) appeared the following in the *Daily Telegraph*:—

"Long ago the poet⁶⁴ told us in verse, wedded to one of the most beautiful melodies in the world, that—

'If the heart of a man is depressed with cares,
The mist is dispelled when a woman appears:
Like the notes of a fiddle, she sweetly, sweetly
Raises the spirits and charms our ears.'

"The fiddle is pre-eminently the instrument of peace and contentment, of gentle suasion and harmony among mankind. The fiddle charms the sailor as he labours at the bars of the capstan; 'tis a fiddle which St. Cecilia is playing in a famous piece of fifteenth-century art;⁶⁵ according to Rafaele, the Muses, the

⁶⁴ Johannes Gay in *Opera Mendicantium*, 1727—*Verba citata in cantico Ducis Macheath inventura sunt.*

⁶⁵ Sancta Cæcilia Domenichini apud Louvre Parisiis, a F. Præger producta in translatione "*Historiæ Musicæ*" facta ab Emilio Nau-man atque edita a Reverendo Sir F. A. Gore Ouseley, Londini MDCCCLXXXII.

Pierides, and the Graces were treated by Apollo to a grand concerto on the violin on the summit of Mount Parnassus;⁶⁶ some more will have it that Orpheus charmed the beasts by the strains of a fiddle and not of a lyre.⁶⁷ The King of Instruments is now the provoker of merriment and now the consoler of sorrow. Can 'Haste to the Wedding' be played on anything more appropriate than a fiddle? When Charles II. was a wandering exile on the Continent, with scarce and precarious means and rapidly-dwindling friends, he wrote to a friend in Paris, beseeching him to send him 'a little fiddler,' whose music-making might solace him in his misery. On the other hand—so versatile are the attributes of the violin—we read that when good old George III., strolling one afternoon into the theatre at Weymouth, and wearied with a long walk, went fast asleep in the Royal box, Manager Elliston, espying the illustrious sleeper, and growing somewhat anxious as the hour for the performance approached, entered the orchestra, crept close to the box, and by the dulcet strains of 'God save the King,' performed upon that fiddle on which Elliston was a deft executant, awoke the sovereign of three realms to consciousness and the realities of life. Old Timotheus we know changed his instruments as he proceeded from strophe to strophe of his stupendous sonatas. Let us hope that it was with 'the notes of a fiddle' that he first charmed the guests at 'Alexander's feast,' and subdued the fierce conqueror

⁶⁶ In Vaticano. Vide "Raphaelis vitam et Opera," auctore Eugenius Muntz, edita a Gualtero Armstrong. Londini, 1882, pag. 340.

⁶⁷ P. A. Maffei, "Gemme Antiche Figurate." Romæ, 1708. Vide quidem Opusculum meum "De Fidiculis," No. 1., pag. 7.

into a melting mood; but that it was by the terrific rumblings of the less sympathetic double-bass that he roused the King to fury, and incited the lovely Thais to leap from his side, turn incendiary, and, 'like another Helen, fire another Troy.'

"It is melancholy to think of this most charming musical instrument being in any way connected with strife or contention; and lovers of peace should rejoice when they read in 'Hudibras' how the story of the Bear and the Fiddle, full as it is of brawling and tumult, was 'begun but broke off in the middle.'⁶⁸ Unfortunately the litigation which culminated on Saturday, in the trial in the Queen's Bench Division of the case of 'Hodges v. Chanot,' has been pursued to the bitter end; and sundry facts which came to light in evidence respecting certain customs and practices which are said to be prevalent in the violin trade are assuredly calculated to cause considerable perturbation in the minds of those who are in the possession of fiddles which they have purchased as being of ancient make, and by famous makers.

"The Plaintiff claimed a sum for money paid, and also for damages in respect of a violin bought on the alleged misrepresentation of the Defendant that the instrument was by the famous Carlo Bergonzi. The Defendant denied having given any warranty." The article then practically recapitulates the case as stated by the reports abstracted above, supplementing its account with the following remarks. "The Defendant deposed that the fiddle in question had been shown at the Paris Exhibition—a circumstance we should say

⁶⁸ Hudibras auctore, S. Butler, 1663, 1664, et 1698, Pars 1^a Cap. II.

which no more proves its genuineness than the fact of having been born in a stable proves a man to be a horse. He denied that he had represented the fiddle to be by Carlo Bergonzi. He merely said that it was by one of the Bergonzi family, and he declined to give any guarantee whatever. Thus, in the French caricature, when the exasperated lover says to his volatile mistress, 'You swore to be faithful to me,' the lady replies, 'Yes, but not on the ashes of my mother.' The Wardour Street fiddle-dealer sold the fiddle as a Bergonzi, but he refused to swear on the ashes of his fathers that it was one—that is to say, to give a warranty with the article which he sold. Notwithstanding, however, his knowledge that the fiddle was not by Carlo, the greatest master of the Bergonzi family, the Defendant admitted that he was aware that in the inside of the instrument there was a label bearing Carlo Bergonzi's name. He had purchased the violin in Paris, and had affixed the label to it. Asked by the Judge why he had done so, he replied that 'he always had some labels lying about.' But how would it be if a purchaser buying a box of cigars labelled 'Partagas' or 'Cabana' discovered that the weeds had been made at Bremen or Hamburgh? How would it be in the case of a bottle of champagne labelled 'Pommery and Greno' or 'Jules Mumm,' which turned out to be a harmless but scarcely choice concoction of the cheerful gooseberry or the salubrious rhubarb?

"The Defendant likewise incidentally mentioned that there had been within modern times in Paris an art or business of reproducing old models of violins, and that

of the curious 'school' in question his father had been one of the originators.⁶⁹ The jury, without leaving the box, returned a verdict for the Plaintiff with fifteen pounds damages, making altogether seventy pounds which he will have to refund—of course on receiving his precious fiddle back, from which he will doubtless hasten to remove the label, which states that this particular violin was made by Carlo Bergonzi at Cremona in the year of grace 1742. Obviously the label was placed there with the most innocent intentions by the Wardour Street dealer, for, as he cogently put it, 'people will not buy a violin without a name to it.' Still the practice of arbitrarily christening fiddles is, to say the least, slightly misleading. Of the intense moral purity which has always distinguished Wardour Street we are well aware; still, far away from the integrity and rectitude which enwraps that immaculate locality, there might be dealers so unconscionable as to attach to violins fabricated at the Paris factory for forging ancient fiddles the renowned names not only of Carlo Bergonzi, but of Stradivarius, of Guarnerius, of Amati, of Cappa, and of Steiner. The admission of the existence in Paris of an 'art or business' of reproducing the models of old violins—that is to say, of counterfeiting them—practically upsets the long-received opinion that the history of violin-making is in diametrical opposition to the doctrine of progress, seeing that although it has been incessantly attempted to reach the excellence of the great makers of the seventeenth and eighteenth centuries, none have succeeded in so doing. It appears that 'in modern times' the Paris

⁶⁹ Vide pag. 34.

factory has turned out a vast number of sham Bergonzis, Amatis, and Stradivariuses; and to this might be added that among the more modern 'articles de Paris' are sham Dresden and Oriental china, sham etchings by Rembrandt, sham pencil drawings by the old Masters, and sham autographic letters of dead celebrities. In the Great Fiddle Case the presiding Judge, Mr. Justice Field, in expressing his full approval of the verdict, remarked that the practice of putting false labels on goods of any sort was one that could not be justified by any usage of trade. It would be interesting to know, in addition to spurious Cremonas, how many pseudo Titians, sham Gainsboroughs, fictitious Linnells, and lying Morlands there are about; how many thousand dozens of bottles duly labelled Château Lafitte, St. Emilien, and St. Julien are mixtures of French and Italian wines artfully worked up to imitate Bordeaux; how much forged antique plate; and how many forged autographs there are in the market. The demand for 'curios' far exceeds the supply; so the ingenious counterfeiters step in and glut the shops with artful shams; but the collectors of old fiddles should be a comparatively restricted class. They might be amicably counselled never to purchase at 'a long price' an ostensible Stradivarius, or a Bergonzi, without it be accompanied by an unimpeachable pedigree or a formal warranty from the vendor."

In the *Globe* of the same date appeared the following:—

"It is not often that the public are afforded so clear an insight into the tricks of any trade, as by the case which Mr. Justice Field and a jury decided on Saturday.

The dealers in old violins, of whom the Defendant in this action was one, seem to have established amongst them a usage which it may be hoped is peculiar to themselves. They are in the habit of procuring instruments of comparatively modern make and of doubtful value, and passing them off upon their customers as the productions of the most celebrated ancient makers. In order to effect this object they stain or soil or otherwise doctor the wood so as to give it the proper appearance of age, and then without further ado insert a label or inscription purporting to be the mark of some famous old maker. It might be thought that nothing could constitute more clearly a case of fraud than proceedings of this kind. The forging of a false name on a painting is allowed to be fraudulent; and it is impossible to distinguish the illegality in one case from the illegality in the other. But the surprising part of the story is that the Defendant, who is reputed a most respectable tradesman, saw no harm whatever in his method of dealing. Not only did he contest the claim for damages made by his customer when the fraud had been discovered, but he came into court and explained without any disguise this evidently common trick of his trade. He admitted keeping a large store of labels bearing the names of noted makers, and inserting these as occasion required into the violins offered for sale. The Judge asked the Defendant why a false name was thus put into the instrument, and there was something very ludicrous in the frank answer, 'Because people will not buy a violin without a name in it.' It may be very true that they will not buy them at the price which dealers like to charge; but the same thing might

obviously be said by picture dealers and other tradesmen who find a difficulty in selling good articles on account of the rage for the productions of 'old masters.' The incident shows that of the violins now bought or sold at a high price no very large proportion are really the work of the men supposed to have made them. The decision arrived at on Saturday characterising the dealer's act as fraudulent will have some influence in checking this trade custom, and the sooner all trades are cleared of such anomalies the better it will be in the long run for all parties concerned."

Simultaneously the following leading article appeared in the *Daily News* :—

"An interesting side-light is thrown on the mysteries of the old violin trade by a case tried on Saturday before Mr. Justice Field and a common jury. Everybody who knows anything of musical instruments is aware of the sometime existence of Stradivarius, Guarnerius, and Steiner, the triumvirate of violin-makers; but not every one is aware that a process of patching and manufacturing old violins out of new ones has long been practised on the Continent. There are queer stories of cunning artificers who out of one doubtful Stradivarius would construct half a dozen apparently genuine productions of the great maker of Cremona. The method bears a curious resemblance to those employed in imitating old silver, old china, old pictures, and old and young horses. It is part of the great system of Vamping.⁷⁰ Modern reproductions of Queen Anne, and Georgian silver are made to pass current by the insertion of the old hall-mark cut from a

⁷⁰ Vide G. Dubourg, "De Fidiculâ," Londini, 1852, pag. 363.

small piece, into a larger and more important work ; as vases, rejected and left unfinished at the old works at Sèvres, but with the factory mark upon them, have been finished outside and sold as genuine. Horses have, time out of mind, had their teeth ' bishopped ' with an iron to make them appear of saleable age, and are to this day ' done up ' by horse ' copers ' with antimony and arsenic in such masterly style that an animal bought for twenty pounds at Ballinasloe will fetch, even of the Yorkshire ' bites,' at Borough-bridge fair four times that sum. Of the manufacture of pictures by the Old Masters, and of worm-eaten furniture of the Middle Ages, there was at one time no end ; and long years elapsed before the noblemen who made the grand tour learned to doubt the authenticity of the masterpieces which they brought home to decorate their ancestral palaces withal. Hence the superb Gainsboroughs, Sir Joshuas, Romneys, Ramsays, and Lawrences distributed in English country houses are accompanied by innumerable sham Guidos, Carracios, and Raffaelles, and by Correggios the ' correggiosity ' whereof is very much more than doubtful. But only very fine specimens of the ' Old Masters ' attract attention now, and the making of ' correggiosity ' is hardly worth the varnish, the candles, and the fuel to heat the oven necessary for the job. Chippendale and Sheraton too have driven the worm-eaten cabinets, once so cleverly produced by the dozen, quite out of the market. It is otherwise with violins, which, like horses, are every day in increased requisition. If horses are scarce, so is Bristol china, and so are the violins of Cremona, which increase not, save under the hands of the crafty

maker, who welds in with much glueing and tinkering his little bit of genuine old violin to the bulk of the new. Sometimes, as in the case of Hodges against Chanot, the form of procedure is different. Mr. Chanot, the Defendant in the violin case, asserted that he did not sell an instrument the value of which it was sought to recover as the work of Carlo Bergonzi of Cremona. But it would seem that Mr. Hodges, who is described as 'a commercial clerk and private dealer in violins' at Gateshead-on-Tyne, certainly bought that in question with the label of Carlo Bergonzi upon it. An expert called to give witness deposed that the violin was not by Carlo Bergonzi or any of the Bergonzi family, but undoubtedly by the compositely named Johannes Franciscus Pressenda. The Defendant, who was doubtless shocked when judgment was pronounced against him with costs, appeared in some measure to plead the custom of the trade, for, in speaking of the label, he said, 'I took it from an old violin, and put it in when I repaired this one.' Another curious fact elicited was that, although Mr. Chanot sold the violin for £55, he gave a receipt for £75. Evidently Mr. Hodges was misled, as the jury decided, by the label 'Carlo Bergonzi, Cremona, fecit anno 1742.' Carlo Bergonzi was a pupil of Antonio Stradivari, whom he imitated for a while and then diverged into originality. His violins are beautiful in form and tone, and are ranked immediately after those of Stradivarius and Guarnerius.⁷¹ Mr. Hodges therefore thought he had a bargain, and, as the Defendant asserted, may have concluded that it would 'look better' to have a receipt for £75. This differ-

⁷¹ "Stat magni nominis umbrâ."—*Lucanus*.

ence between the actual and the ostensible selling price recalls the old-fashioned practice of so much 'back' on the purchase of a horse."

The *Daily Chronicle* contributed to the mass of literature devoted to this absorbing trial the following article:—

"Mr. Chanot of Wardour Street has an extraordinary idea of commercial morality, but we regret to say that his views are shared by a large number of traders. Stripped of the ornamental verbiage in which Mr. Chanot's principle of dealing in Cremonas was disguised, it simply amounts to the plain maxim that people will not buy unless a little deception is practised upon them. Perhaps Mr. Chanot is not entirely to blame for this—he would never have thought of the gentle arts which he found necessary to his trade unless the folly of his age had driven him to them. Mr. Chanot is a musical instrument dealer, and he dealt some time ago with a certain Mr. Hodges in connection with a violin. The violin was made at a date and by a maker that is at present unknown. Mr. Hill, who seems to be an expert in violins, thinks that the instrument in question was made by Johannes Franciscus Pressenda. Mr. Chanot himself had apparently no real knowledge of its history, but he informed Mr. Hodges that it was a Bergonzi, and he pasted on it a label with the enticing scroll, 'Carlo Bergonzi, fecit anno 1742.' Hodges was enchanted, and became the possessor of this invaluable instrument for fifty-five pounds. He seems, however, to have been pursued by doubts, which ripened into certainty, that his prize was manufactured long after Carlo Bergonzi was in his grave. Hence ensued a litigation, which culminated

on Saturday in the Queen's Bench Division, and in which Mr. Chanot appeared to do justice to his trade. He did not deny that he had put the tempting label inside the violin which he sold to Hodges, but he justified himself by what he averred to be the custom of the trade, namely, to put labels taken from old instruments into more modern ones. If this is indeed a custom, how can we hope for honest trade? It is in no way more respectable than the occupation of the lounge who sells painted sparrows for valuable birds. The law gives such practices a vulgar and unpleasant name, and we are glad to see that the jury took a similar view. It is fair, however, not to forget the final excuse of Mr. Chanot, that no one will buy a violin without a label on it. So much is there in a name to the purchaser of old musical instruments."

On the same day the *Standard* devoted a column of its space to the historic case by the insertion of the following article :—

"The remarkable story of a Fiddle as told in the Court of Queen's Bench on Saturday is not calculated to reassure trusting people with a taste for the antique. A gentleman who, it would appear, combines the callings of a commercial clerk and a dealer in violins, purchased in the congenial neighbourhood of Wardour Street an instrument which, for a brief hour, he believed to be one of the masterpieces of Carlo Bergonzi of Cremona. At least that was the legend on the label inside the article. Now, though the Bergonzi family do not equal their townsmen, Andrea, Jerome, Antonio, and Nicolo Amati, and still less the famous Antonio Stradivari, or even the Guarneri and the Ruggieri, who kept up the

reputation of the Lombard town, or of such craftsmen as Jakob Stainer and Matthias Klotz of the Tyrol, they were men of mark, and their handiwork still commands great prices. This fact must have been known to the purchaser if, as his legal biographer assures us, he is a trader in goods so costly as violins from the famous *ateliers* of Continental makers. Accordingly when the Wardour Street dealer began by asking one hundred and fifty pounds for the Carlo Bergonzi, and ended by taking fifty-five pounds for it, the buyer ought to have suspected that all was not right; and in due time it was discovered that, so far from being a Carlo Bergonzi one hundred and forty years old, and worth, if genuine, from £80 to £150, the violin was a Johannes Pressenda, aged about half a century, and worth, 'to sell again,' less than a third of that figure. It is true that the Wardour Street dealer pleaded that he only vouched for the instrument having 'belonged to the Bergonzi family,' but as he afterwards admitted that he himself had put the label cut out of an old violin into it, and that he had fifty or more labels with the names of other celebrated artists on them, ready to affix to any violin, 'because people will not buy one without it,' the jury did not believe his statement. It also leaked out in the course of the Defendant's cross-examination that the manipulation of fiddles—the reproduction of old models, the Defendant termed it—was a species of hereditary talent in his family. His father was one of the originators of the art, and for many years carried on a flourishing business of that kind in Paris. When a gentleman who at first repudiated any knowledge of the label ended by confessing that it was a regular trade practice to fix some of the old labels 'they always had

about' on to newer and inferior violins the duty of the jury was very clear. Accordingly, after an admonition from Mr. Justice Field, which, under the circumstances, cannot be characterised as too severe, the injured Plaintiff was awarded the price of his 'Carlo Bergonzi,' with a suitable sum as damages and costs.

"The story is not a creditable one, though, unfortunately, to those acquainted with the brisk trade which is carried on in modern antiques, it is only too familiar. ('Crimine ab uno disce omnes.'—*Virgil*.) The manufacture of medals, coins, bronzes, pictures, 'old china,' old furniture, and even old books, has been going on apace ever since a taste for collecting these costly articles seized the wealthier members of society. During the years 1872 and 1873 a lady, whose purse was longer than her knowledge was extensive, purchased from a London dealer several thousand pounds worth of plate which purported to date from the reign of Queen Anne. The price was enormous, and for seven years she revelled in the pleasing delusion that she possessed what the silversmith's invoice declared her to have bought. But on a connoisseur examining the articles it was clearly proved that at least six hundred pieces of it bore counterfeit marks. Nothing is more common than for dishonest dealers to cut the hall-marks out of small pieces of genuine old plate and then to 'let them in to'—as a sailor would say—imitation articles purporting to be of the date of the marks. Ancient bronzes and medallions are now imitated so exactly that it requires a sharp eye to detect the counterfeit. Even the beautiful 'patina' or rust, which time alone produces in perfection, can be simulated by chemical means sufficiently well to save the most experienced antiquary.

This trade is, however, a very old one, and has been practised in Rome and Naples for many years. In Birmingham there is still a brisk business done in forging iron crosses, eagles, spurs, sword hilts, and other 'relics' to bury on the battlefields of the Continent, where they are in due time dug up and sold to credulous tourists. The Arabs are already alive to the trick, and, in partnership with the Jews and Christians in Jerusalem, are doing a knavish commerce in the sale of sham shekels, and, as the Berlin Museum knows to its cost, in the manufacture of sculptured stones even more esteemed among antiquaries. The forgeries of manuscripts has long been a distinct branch of the literary art, and, after M. Chasles parted so freely with his francs for 'letters of Julius Cæsar' and other eminent personages, the ingenious rogues who minister to this passion need not despair of still making hauls sufficiently lucrative to counterbalance the risk they run of being found out. The astounding prices which old china has of late years fetched, have stimulated a wholesale forgery of all the favourite kinds. Japanese pottery is now so well imitated that the market is full of sham Satsuma, made at the Ota and Sheba factories at Yokohama and Tokio. After a cream ewer of Capo di Monte was sold for twenty-six guineas, a perfect inundation of forgeries arrived from the manufactory of Daccio near Florence. Even flint implements were so skilfully struck out of the block by 'Flint Jack' that to this day there is scarcely a museum curator in England who can approach his 'Palæolithic' cases without blushing from the consciousness that many of his treasures were chipped, not by the pre-historic man, but by a beer-sodden rogue in the tap-room of a public-house.

"But it is in the manufacture of 'Old Masters' that the finest business of this kind is done. Some of these replicas by unknown hands are so good that every studio has anecdotes regarding painters who have been deceived by facsimiles of their own works. The late John Linnell was kept busy towards the end of his life repudiating works advertised as his and signed with his name; and some of them were so well painted that to this day it is a moot question among dealers whether the 'Mountain Shepherds,' which was the subject of a lawsuit, was or was not by the artist from whose pencil the purchaser supposed it to be. There is scarcely a gallery brought to the hammer which is not found to be largely composed either of copies which the owners had bought as original, or pictures the work of obscure men signed with the names of some more or less celebrated artists. Only recently a large collection, believed by the owner to be genuine when he bequeathed it to the city of Glasgow, was pronounced to be next to worthless; and the many 'duffers' which were discovered to form the 'gems' of the Wynn-Ellis Gallery when it was sold in 1876 must still be fresh in the memory of the art world. There is a perfect factory for the manufacture of Old Masters in Rome, and scores of art students in the Continental towns support themselves by making copies in the public galleries for sale to the dealers, who in due time, by the aid of a smoky chimney and other ingenious devices which need not be enlarged upon, supply the demand for Rafaelles, Rubenses, Vandycks, and Murillos, which come from America, or from quarters near home.⁷² Out of one hundred and fifty-three pictures submitted to

⁷² "Nosse hæc omnia salus est adolescentulis."—*Terentius*.

one expert for his opinion only eleven were found to be genuine. There are hundreds of 'Linnells' and 'Birket Fosters' in the market, on not one of which these artists put a single stroke of the pencil. John Philip was so successfully imitated that when his executor was compiling a catalogue of that artist's work he often found a difficulty in deciding as to the authorship of the many works claiming to be from the deft hand of 'Philip of Spain.' A copyist, after ten years' practice, succeeded in producing facsimiles of Turner's drawings with such fidelity that to prevent these copies being sold as the famous artist's own works Mr. Ruskin had to sign the latter; and so undistinguishable from the original was a copy of one of Landseer's paintings, that the master was himself deceived by it at one of Christie's sales. Picture dealing is indeed as much an art as picture painting. China-maniacs have long ago discovered that even when fortified with all the maxims of Jacquemart, Chaffers, Marryat, Prime, Birch, Jewitt, and Westropp they are apt to buy in haste a 'Dresden' teapot which at leisure they learn has been turned on the wheel of an artist in the next street; and now the musician knows to his sorrow that a Carlo Bergonzi at one hundred and fifty pounds may, despite a contemporary label, be only a Johannes Pressenda worth five-and twenty."

This long article, though slightly divergent from the main point of its argument, is, nevertheless, one of the most admirable ever penned on a subject, at least near akin to the matter in hand. On February the 17th the weekly publication known as the *Exchange and Mart*, in which Mr. J. M. Fleming's valuable chapters on "Old Violins and their Makers" have appeared since

the commencement of last year, gave a notice of the case, headed "A Fiddle Case," beginning and ending with the following comments:—

"It would seem that for ways that are dark, and for tricks not always in vain, the Christian dealer is occasionally fully on a level with the Heathen Chinese,⁷³ and that this fact may be specially illustrated by reference to our modern vendors of old 'violins.'" After describing the main features of the case, the writer of the article remarks, "The foregoing case conveys so obvious a warning that it is needless for us to comment on it. Purchasers of the class of instruments described in the series of articles on 'Old Violins and their Makers,' now running through our journal, should assuredly not complete a transaction without having from the vendor a formal warranty or an unimpeachable pedigree; and with regard to such matters generally we can but echo the learned Judge's remark, 'It is much to be deplored that people who deal do not deal fairly with one another.'"

On February 22nd the comic papers took up the matter, and in *Judy* of that date, that historic and highly respectable person, so dear to us under the name of Alexander Sloper, *Esquire*, wrote the following paragraph, headed "Fiddle-Faddle":—

"According to American slang a 'fiddle' is a swindle, and in our own slang vocabulary for a long time past a cheat has been dubbed a 'fiddler.' Do not let us go so far, however, in describing the modern fiddle-seller. Let us but speak of him as one who in

⁷³ Bret Harte, *Aperta enarratio Jacobi Veracis*. Table Mountain : 1870.

the performance of his daily vocation is necessarily compelled to draw the long bow. There is at all times an amount of elasticity about the morals of a London tradesman, edifying for his customers to reflect upon. People who don't keep shops are for the most part old-fashioned enough to call a lie a lie, and a theft a theft, and when they have been taken in and robbed of their good money, it hardly consoles them as much as undoubtedly it ought to do, to know that after all they have been only dealt with according to the custom of the trade.

"Most of us are acquainted with that good grocer, who, having inquired whether his shop-boys had assiduously sanded the sugar and fiddled the plums, upon being informed that they had, smiled sweetly and led the way into the back parlour for family prayers. I have no doubt that people who label lard as butter, and ticket fiddles with the wrong makers' names go to chapel on a Sunday and feel good; but it is for us, the stern moralists, who are not in the butter trade, nor deal in groceries, nor have fiddles to sell, who thus express their virtuous indignation, and get paid so much per line for doing so. (Signed) A. SLOPER."

Fun, of the same date, gave a set of three cuts, entitled "Custom and Customers," representing—1. A Druggist selling a box of pills. (Loquitur) "Pills; Oh yes, Sir, you can have any name on the box you like; we keep labels of all the great makers." 2. A Waiter opening a bottle of champagne. (Loquitur) "Pommery, Sir? Yes, Sir; I know its all right; I've just put the label on myself." 3. A Picture-dealer disposing of a work of art. (Loquitur) "Signed? No, it aint;

they don't sign 'em now, you know ; but you'll find a label at the back, m'lord." It also gave a very clever vignette, lettered "Another case of false name and address," representing a humanized violin holding behind him a label "J. F. Pressenda" and presenting to Mr. Justice Field, in the garb of a policeman, a card bearing the words "Bergonzi, Cremona." This cut served as a heading to the following lampoon, which, though a trifle scurrilous, was very happily conceived and cleverly executed. Its title was—

A CUSTOM WANTED.

"It is always a pleasant task to tell of the doings of the good and innocent ; and although it is a very, very sad one to recount how temptation and peril seem for a time to be about to overwhelm their naturally good inclinations, yet how great a comfort must it be to the writer on moral themes to set forth their subsequent escape from, or triumph over, the evil influences, and their ultimate confirmation in those sound and virtuous principles which must ever be to the upright mind a source of the truest and most ineffable delight !

"Let me tell in simple words, and without varnish or affectation, the story of little Joey Phiddlestyx.⁷⁴ He was born of solvent but virtuous parents in the village of London. From the birth of little Joey the first aspiration of his parents was to train him with unremitting care and anxiety in the paths of rectitude and innocence.

"It was their dearest ambition to thoroughly inculcate in his infant mind a knowledge of the *Custom of*

⁷⁴ "Ingenui vultus puer, ingenuique pudoris !"—*Juvenal*.

the Trade—that great central piece of knowledge, to be conversant with which, is one and the same thing with being upright, virtuous, modest, pious, beneficent, and all other things worth the being. Let our little friends bear in mind and lay to heart this one fact—that the man who has thoroughly learned and mastered the *Custom of the Trade* needs no other knowledge, no books (except a day-book, a ledger, and one or two others), and no further guide or preceptor whatever, to enable him to be good, happy, and an ornament to any circle in which he may move.

“As soon as his baby-fingers had learned to write, he was taught by his devoted father to copy labels with pretty words on them, chief among these being ‘Carlo Bergonzi, Cremona, fecit,’ ‘Stradivarius,’ ‘Amati fecit anno —,’ ‘Jacobus Stainer,’ and so on.”⁷⁵

“So apt was the dear little fellow, that, ere he had yet completed his tenth year, he had learned to copy the very oldest labels, stains and all, to such perfection, that it was impossible for the cleverest expert to detect the frau—ahem!—eh—ah—dear me! What *very* unseasonable weather we are having to be sure! Let me see, I was telling you the story of little Joey. Well, when he had mastered the labels, his good and watchful father carefully taught him to place them in new ten-and-sixpenny German violins. After this he was taught to rub down and stain the violins themselves till *they* looked old too; and this, too, he quickly mastered.

“Joey was now growing up, and such had been his progress that he began to be pointed out to other boys

⁷⁵ “Ingenuas didicisse fideliter artes, emollit mores nec sinit esse feros!”—*Ovidius*.

as a model of what a good, simple, upright young fellow should be.

"No smoking penny Pickwicks, nor drinking at bars for him! His father, happy and peaceful in the knowledge of his boy's rectitude, decided that he might now instruct him in the higher branches of the *Custom*. So he taught him how to face a customer and look as if the ten-and-sixpenny violins belonged to the labels in them, and to refuse to give a warranty without exciting suspicion, and to appear to murmur 'Carlo Bergonzi' or 'Stradiuarius' or what not, without really doing so.

"And when little Joey—not little now—had learned to do all this, he was what all you, my young friends, should strive to be—an honest, simple, unpretending Christian. *There's a good thing to strive after!*

"And now it is my sad duty to tell how another young man, who had not the same sound principles, attempted to lead Joey into the paths of deceit and wickedness.

"One day a young man with a bad countenance entered the shop and asked for a violin by Stradivarius. Joey was in great glee, for this was really his first trial at really serving a real customer, so he took down one of the ten-and-sixpenny violins and seemed to murmur 'Stradiuarius,' and the bad young man joyfully took it and counted out fifty bright gold coins on the counter, and was about to go when Joey looked carefully at one of the coins and said, 'Here you, not this journey! Won't wash. They're gilded farthings.' And so great was the shock to Joey's feelings on learning that any one could be so wicked as this that he burst into a flood of tears.

“‘He! he!’ said the bad young man, ‘you’ve spotted it—you’re a sharp un too! Tell yer what, if you like to join me we’ll make a nice bit out of this; I want a hand in with me.’

“Joey flushed crimson with indignation, and was about to give the bad young man in charge.

“‘Hold hard,’ said the bad young man, ‘or else we shall have to advertize this ten-and-sixpenny Turner Stradiuarius, eh?’

“‘How *dare* you speak of that as if it had anything in common with your wicked tricks?’ screamed Joey. ‘It is not a swindle, it is the custom of the trade.’

“The bad young man had not a word to say, for he saw how cruelly he had misrepresented the actions of one whose virtue he now perceived fully revealed.

“‘Bad young man!’ said Joey, ‘I know you cannot look me in the face and tell me that the fraud—yes, F R A U D—which you have attempted is the *custom of the customer*?’

“The bad young man hung his head—even he did not dare to tell a base wicked lie in the presence of the good Joey. He had learned a lesson; he crept quietly out, resolved to use his influence among such customers as he knew with a view to working up the *Custom*. So we see that even the most depraved are capable, when shown the way by the finger of virtue, of making attempts at reform.”

Another comic paper, *Moonshine*, on the 25th, produced the ensuing paragraph, headed “Call a Spade a Spade:”—

“It would seem that some particular callings have very lax notions on the subject of ‘Fair trade.’ Horse-

dealers and picture-dealers have always been associated with unconscionable profits, but according to the disclosures in a recent trial the violin-dealer is equal to either; in fact, the seller of fiddles is necessarily a fiddler, for the Defendant maintained that it was customary to put false labels on the instruments 'because people will not buy a violin without a name upon it.' In the case alluded to the Defendant bought a fiddle for £18, clapped a label on it, pronouncing it to have been made by Carlo Bergonzi, and then sold it for £55. When a man in the street sells a painted sparrow for a few shillings, pretending that it is a beautiful singing bird, he is rightly judged a swindler and imprisoned; but the man who passes off an ordinary fiddle as one by a celebrated maker is a dealer, only guilty of rather sharp practice. We should like to see the process of reasoning by which this distinction is arrived at. The situation might thus be summed up—When is a deluder not a swindler? When he is a violin-dealer."

At this time M. Chanot published and circulated the following Opusculum in the form of a circular letter to his friends, enemies, and customers:—

"HODGES v. CHANOT.

"*Criticisms and Remarks on "The Great Violin Case."*

"DEAR SIR,

"Your perusal of the following will oblige. In the criticisms made by the Press on the result of the above trial many important features were passed over which would have added to the interest of the case, and in others statements were made which were incorrect,

and which threw on me the responsibility of remarks of which I knew nothing.

"In the *Times* of February 24th, in a leading article commenting on *Wertheimer v. Goode*, there are the following remarks:—

"Our readers may remember that in the case of "*Hodges v. Chanot*," the Plaintiff sued a dealer in Wardour Street for the value of a violin alleged to be the handiwork of the famous maker Carlo Bergonzi, one of the men who, at the end of the seventeenth century, made Cremona fiddles celebrated throughout the world. What was interesting to the public in this case was the number of curious facts which came out as to the practice of the trade, or at least of some of its professors, and the cynical frankness with which these revelations were made. Not only did it appear that there was, as there might legitimately be, a flourishing school now existing in Lorraine for the manufacture of imitations of old Cremona violins, but Mr. Chanot confessed that he had put Carlo Bergonzi's label into one of these modern antiques "because nobody would buy a violin without a label."⁷⁶ Again, in that as in the present case, there was a remarkable diversity in the prices at which the goods were sold at different stages of their career. Mr. Chanot bought his violin for £18, offered it for sale at £150, consented to take £55, but gave a receipt for £75, "as he did not wish any dealer to know that he had sold an instrument so low."

"It being so incorrect that I 'offered it for sale at £150,' I at once wrote to the *Times*, and the following

⁷⁶ "Miramur ex intervallo fallentia."

condensation of my letter was kindly inserted in the issue of February 27th:⁷⁷—

London, 24th February, 1882.

To the Editor of the 'Times.'

Sir,

As I see my name mentioned in to-day's 'Times' in a leading article respecting the case of "Wertheimer v. Goode," allow me to say that the report of my case some ten days ago (13th inst.) was generally misleading.

On the question of the receipt, I deposed on oath (as appears in the report in the 'Daily Telegraph') to the fact that I gave the receipt for £75 at the special request of the Plaintiff, who purchased with the object of resale.

On the question of the label, which was not looked at by the Plaintiff at the time of sale, it was proved by the Plaintiff's own expert that in the purchase of a violin the label is understood to be neither a warranty by the seller, nor, on the other hand, by the purchaser as a reliable guide as to who made the instrument. The label in fact never comes into question in the sale or purchase of a violin.

My belief was, as I stated in court, that the instrument was the work of one of the Bergonzi family, and upon its intrinsic value there is no question, as the only two experts who were called stated that, as dealers and for the purpose of selling again, one would give £30 and the other £40 for the instrument in question.

Another great error in the report is that it says I asked £150 for the instrument. I never asked that price from the purchaser. £75 is what I asked him as a

⁷⁷ I here reproduce the original letter as written by M. Chanot, the part cut out by the editor before inserting it being printed in italics.

dealer, and we came to an agreement at £55, which price for a genuine 'Italian' instrument—a fact which was conceded by the Plaintiff's expert, Mr. Hill—was certainly not too dear.

As for a purchaser buying a genuine 'Carlo' Bergonzi for £55 I would at any time give £150 for one to sell again.

*Trusting you will favour me by inserting the above,
I am, Sir, yours obediently,
Georges Chanut.*

"*Truth* likewise had an article upon the case, and although not so favourable to me as I should have liked, still it can be classed as a fair criticism upon a public trial. The following is the article referred to, and appeared in its issue for February 25th:—

"There are three things about which even good men seem to have no conscience—the first is, undoubtedly, umbrellas; the second, horses; and the third, violins. Mr. Justice Field, who is evidently not very well up in fiddles—and supremely indifferent to the feelings of violin-makers—has inflicted a deadly blow—more deadly than he knows—on the violin trade.⁷⁸ Mr. Chanut, the well-known violin-maker in Wardour Street, has had to pay back £75 and £15 costs, and take back a violin which he sold to a Mr. Hodges, with a Carlo Bergonzi label in it—the said violin being certainly not a Carlo Bergonzi, perhaps not even a Nicolo or Michael Angelo Bergonzi. At first sight Hodges, the buyer, may seem the innocent dupe, and Chanut, the seller, the wily knave. So, evidently, thought the Judge, and so thought the jury, but any one "who knows"—that is to say,

⁷⁸ "Quicunque turpi fraude semel innotuit
Etiam si verum dicit amittit fidem."—*Phædrus*.

who is acquainted with the complex nature of fiddle questions and the fiddle trade—can easily read between the lines even of the printed trial as it stands, and a little reflection will be quite enough to show that Hodges is not quite the dupe nor Chanot quite the knave that appearances seem to warrant. I am not saying that Judge Field and his jury were in a position, “with their lights,” to come to any but the severe, and perhaps on the whole salutary, decision arrived at; but it was, for all that, as much too “rough” on Chanot as it was too “soft” on Hodges.

“ ‘Who is Chanot, and who is Hodges? and what was the real nature of this fiddle transaction between them? Mr. Chanot, of Wardour Street, is the son of the famous George Chanot, still living in extreme old age at Paris.* It is to George that we owe the re-discovery and recovery of all the finest Cremona violins in existence. More than sixty years ago the renowned Tarisio, an itinerant pedlar, arrived at Paris with a bag of old fiddles.⁷⁹ This enthusiast, who spent his life in seeking for the lost fiddles of the great Italian makers, and through whose hands almost every celebrated violin has passed, could at first get little attention paid him at Paris. It was George Chanot who bought his first stock, sent for more, bought all he could get, one after another, and with the enthusiasm of a connoisseur, more than a dealer, collected and began to redistribute at large prices the violins he had purchased very reasonably from poor Tarisio. Mr. George Chanot, next to Tarisio, was, perhaps, the greatest connoisseur that ever lived. Mr. Chanot, his son, now of Wardour Street, has, therefore, had singularly good

* At the date when the above was written Georges Chanot, Sen., was enjoying a hale and hearty old age, in retirement from business. I regret, however, to say that this renowned representative of the old school died suddenly at Courcelles, near Paris, on the 10th January, 1883, respected and lamented by all who knew him.

⁷⁹ Vide notam 4.

opportunities of knowing about violins, which he has made singularly good use of.⁸⁰ He is, in my opinion, now Vuillaume is dead, the best violin forger in the world. He forges avowedly; he imitates exactly.⁸¹ He has shown me instruments side by side that, not only at first sight, but on a nearer inspection, baffled me completely when I held them apart. If you ask me whether he would deliberately sell a copy, telling you it was an original, I have no hesitation in saying he would not. But if you asked me whether he would sell you a copy, shrewdly surmising that you bought it thinking it original, without asking his opinion or exacting his guarantee, I should say he would sell you that copy for as high a price as you would pay, and not think it necessary to undeceive you, if you could not take care of yourself, and neglected to obtain even from him information you could have for the asking; and so I believe would act every violin-dealer of repute in England.⁸²

“Their motto is *Caveat emptor*.⁸³ The buyer is supposed to know, to inquire if he doesn't know, to exact a guarantee, to consult the dealer first, and then, if he be in any doubt, to get the opinion of other experts *before* he purchases. This is always permitted and expected. The *morale* of the trade requires no more than this, but is prepared to facilitate, and even advise, thus much. And I think, on the whole, the *morale* of the trade is fair thus far. As to false labels, I venture to say that no one who has the least acquaintance with violins (and, unless he has, what business has he to go amongst dealers?) thinks any more of a “Stradiuarius” label in a fiddle than of a “coronet” on a cab. Every music-shop is hung with violins, from 5s. to £5, labelled Stradiuarius

⁸⁰ “Sequitur patrem (sed) non passibus æquis.”—*Horatius*.

⁸¹ O Imitatores! servum pecus!—*Horatius*.

⁸² Qui nescit dissimulare nescit vivere.

⁸³ Recognoscenda quidem est alia legum sententia, “Quælibet concessio fortissime contra donatorem interpretanda est.”

and Guarnerius;⁸⁴ and, as Mr. Chanot pointed out at the trial, there was an immense manufactory at Mirecourt, near Paris, where cartloads of old masters are annually turned out, labelled all in the newest print, and ranging in price from a few shillings to a few pounds.⁸⁵ The more subtle and mischievous transference of an old label from one fiddle to another is not quite so common. But no one judges by the labels, and no dealer of repute would dream of guaranteeing a false label, though he sells you an instrument with that spurious decoration placed there by himself.⁸⁶

“ ‘ If you have ever seen a connoisseur at a sale, you will observe that the first thing he looks at is the head, which is often not original ; then at the belly and the back, to see whether one or both are genuine ; then at the varnish, to note whether it is Cremona or Brescia stuff at all ; then at the outline and purfling, to see if these have been tampered with ; and then his eye takes the angles and side curves ; but he no more cares to look at the label than he cares to string up the instrument and hear the sound. When he has settled about the master’s handiwork, he already knows about the sound, and bids up to £300 or £600 for an unstrung violin without a bridge. He could put in the label himself. Mr. Chanot may have a weakness for labelling, but Mr. Hill—perhaps the greatest violin connoisseur now in London, who was, by the way, called as a witness at the trial—will often sell you a good violin without a label, or with a label telling you what it is not, but he will tell you what it is.⁸⁷ All this may seem very odd to Judge Field and his jury of twelve intelligent men, but the great case of *Hodges v. Chanot* cannot be understood and dismissed *fairly* in such a hurry as seemed good to Judge Field and the jury.

⁸⁴ “ Quam multa injusta ac prava fiunt moribus.”—*Terentius*.

⁸⁵ “ Quidquid multis peccatur inultum est.”—*Lucanus*.

⁸⁶ “ Maxima illecebra est peccandi impunitatis spes.”—*Cicero*.

⁸⁷ “ Oderunt peccare boni, virtutis amore.”—*Horatius*.

“Let us be Judge and jury over again. So we come now to Mr. Hodges—who is he? Mr. Hodges is actually a violin-dealer himself. Then what business had Mr. Hodges to act as he did? Enters Mr. Hodges; bargains with Mr. Chanot for a violin which is labelled Carlo Bergonzi. Does Mr. Hodges ask Mr. Chanot whether it is a real *Carlo Bergonzi*? Not at all. Does Mr. Chanot tell Mr. Hodges it is a Carlo Bergonzi? Not at all. Says Chanot: “It is a very fine Bergonzi violin, and I want £75 for it.” Bergonzi’s name was no doubt mentioned. Mr. Chanot thinks it is a Bergonzi, but “Carlo’s” name does not once occur in the transaction, except on the label. After a little haggling, Mr. Hodges undertakes to buy. No one obliged him to do this. He might have consulted Mr. Hill, down the street, first, or brought a friend, or asked for the fiddle on loan for approval. But; no! Hodges is smart. He will bate down Chanot, and stoop even to taking a false receipt; pretending he has paid £75, or £20 more than he has actually paid. So leaving with this false receipt in his pocket, there is a poetical justice in Hodges sailing away with a false label on his cheap Carlo Bergonzi violin. Really, Mr. Hodges, up to this point, seems to me to show a degree of imbecility, if nothing else, which at once deprives him of all further claim to sympathy. But, what next? Why, Hodges goes home, produces his false receipt for £75, and, expatiating on his cheap bargain, is willing to part with the treasure for £150, or exactly double what he is *supposed* to have paid for it.⁸⁸ The little comedy is soon played out. Justice Field, on the Queen’s Bench, is consulted. The redoubtable Mr. Hill, of Wardour Street, who was received with a round of applause, steps into the witness-box, and the delicate relations between Mr. Hodges and Mr.

⁸⁸ “Rem facias rem

Recte si possis, si non quocunque modo rem.”—*Horatius*.

Chanot are displayed before the unsympathetic eyes of a British jury.

“ ‘ Now it would be difficult to say that the violin-dealer's morality is scrupulous—more scrupulous than the grocer's, whose fresh butter is often unreliable; or the butcher's, whose Southdown is occasionally Australian—but I do say, in the case of *Hodges v. Chanot*, it is, at all events, six of one and a half a dozen of the other, and I should have given no costs and a farthing damages.⁸⁹ I should have summed up thus :—

“ ‘ It appears that the Plaintiff Hodges deals in violins. Mr. Chanot deals in violins, and makes them too. Mr. Hodges, therefore, enters Mr. Chanot's shop in Wardour Street with his eyes open. He is offered what, on all sides, is admitted to be a fine violin (valued by one expert at £30, by another at £60). He obtains it for £55, receiving a false receipt of £75 for it. The violin is indeed labelled Carlo Bergonzi, but it is not declared by Mr. Chanot to be one, nor guaranteed as such by him. It is asserted to be what Mr. Chanot believes it still to be, a fine Bergonzi violin, and as between dealers labels notoriously go for nothing, we are not bound to assume, in the present case, intentional fraud. It was quite open to the Plaintiff to have called in the assistance of a third expert, but he was satisfied with his own judgment, and, after all, obtained the violin for £55—£25 more than the expert who values it at £30 thinks it is worth, but £5 less than the value set upon it by the other expert. The commercial transaction appears, as far as it is measured by value, to be tolerably fair. The Plaintiff then proceeds to sell the violin on his own account, on the strength of the instrument having been sold to him as a genuine “ Carlo Bergonzi.” If the jury are of opinion that the Defendant declared the violin to be by Carlo Bergonzi, or

⁸⁹ *Utrum horum mavis accipe.*

ever said a word about "Carlo," or led the Plaintiff, who was himself a dealer, to believe that he alone, of all violin makers and dealers, guaranteed his labels, then the jury will give a verdict for the Plaintiff; but if, on the other hand, they are of opinion that the Plaintiff neglected the most ordinary precautions,⁹⁰ assumed, in buying, what he had no ground for assuming, that the label guaranteed the violin, and asserted in selling, what he had less ground still for asserting, that the Defendant guaranteed the label—if the jury come to the conclusion that the return of the violin upon the Plaintiff's hands, which has given rise to this action, is due to the careless misrepresentation of the Plaintiff Hodges, rather than to the criminal fraud of the Defendant Chanot, then the jury will return a verdict for the Defendant.

"I beg, in conclusion, to say that I have not written this version of the Great Fiddle Case to justify the practice of false labelling, which is highly objectionable, if not actually fraudulent; but simply to represent clearly what I believe would be the view of really high-class violin-dealers like Mr. Chanot, or, as for the matter of that, Mr. Hill himself, on this question and upon this case. In fact, at the bar of Wardour Street morality—not so low a bar, take it all in all, as some people suppose—Hodges, who has got the verdict, is not one whit better than Chanot, who has lost it—only more fortunate, and more silly."

"Any comment of mine is unnecessary. Where any article of trade is sold to a purchaser for £55, and is valued afterwards by two experts at between £30 and £60, there could not be an extortionate charge made for it. Of course, if the purchaser expected to get £150 for what cost him £55, and failed, it does not affect the honesty of my price in the slightest; at

⁹⁰ "Metiri se quemque suo modulo ac pede verum est."—*Horatius*.

least that is how I interpret the case. It has excited many criticisms, but, impartially judged, it does not affect my judgment in the slightest.

“Yours obediently,

“GEROGES CHANOT.

“157 Wardour Street, London, W.

“1st March, 1882.”

The article which thus forms the principal part of this manifesto is to my mind (with that one reproduced below) one of the best of the many which this case called forth; at any rate it is a relief, after the others, to have one which takes up a different side and tries to put the case impartially, and from the point in which it is *really* viewed by the trade, and all amateurs who have the slightest knowledge of fiddles. The only other paper which had the courage to express similar sentiments was the *London and Provincial Music Trades Review* for March 15th, which had the following article on the case, headed “False Labels on Violins” :—

“In a case which was decided just before we went to press last month, and was in consequence reported in our *Trade Review*, some extraordinary evidence was given as to the extent to which false labels are put on violins. The Defendant, Mr. Chanot, frankly admitted he had put a label purporting to be a ‘Carlo Bergonzi’ on a violin he perfectly well knew was not by that maker, and was indeed a more modern instrument. His defence was that people would not buy a violin which had no well-known name to it. Another point in the case was that Mr. Chanot gave the purchaser a receipt for £75, although only £55 cash passed, the excuse being that he did not desire his brother dealers

to know he had sold the fiddle so cheap. Mr. Chanot's modesty in this instance was misapplied, for Mr. Hill of Wardour Street swore the violin was neither a 'Carlo Bergonzi' nor was worth £55. The Judge made some strong remarks, and the jury gave a verdict against Mr. Chanot for some pounds more than the money actually paid.

"The facts thus brought out in evidence are, however, by no means new, nor is the species of deception thus disclosed confined to the violin trade. 'Bogus' pianos are plentiful enough. Branded champagnes, certain brands of cigars, and old paintings are rarely 'honest Injun.' The purchase of a violin without a 'pedigree' is a species of lottery. The older imitations are often so good as to excite doubt in the minds of the most experienced judges, and although we do not propose to defend the practice of affixing bogus labels to violins, the custom is too well known to the trade and to connoisseurs to be held up to reprobation.⁹¹

"It is remarkable, as showing the ignorance of judge, jury, counsel, and reporters engaged on the case, that they were not even aware of who the reputed maker of the incriminated violin was. He was referred to throughout as 'Berganzi.'⁹² No such maker ever existed. The maker referred to doubtless was Carlo Bergonzi, a maker of the Cremonese school, one of the best pupils of Ant. Stradivarius, and who flourished between 1720 and 1747. Bergonzi's violoncellos are

⁹¹ Quum ita res se habeant, verissima sunt antiquorum proverbialia. "Plusque exemplo quam peccato nocent:" etiamque "Plura faciunt homines e consuetudine quam e ratione."

⁹² Vide notam 30.

especially celebrated and are said to be worth £200 to £300, although they are constructed on too large a pattern for the present age and are frequently spoilt in the alteration. In 1746 Carlo Bergonzi moved with his son Michael, then twenty-four years of age, into the house and factory vacated by Stradivarius, and he lived there till his death in the following year.⁹³ Facsimiles of two of his labels lie before us,⁹⁴ in each case the text of the label being in a sort of rough print with *the year* filled in by hand. Both labels are surrounded by a black flowered border. The first label runs—'Anno 1733, Carlo Bergonzi, fece in Cremona,' and the second 'Anno 17— Reiusto, e corretto da me Carlo Bergonzi in Cremona.' His son, Michael Angelo Bergonzi, was in Cremona until about 1758, but his instruments are of little value. The two sons of Michael Angelo, viz., Nicolo and Zosimo, were in Cremona about 1765, but the Bergonzi violins were then in rapid decadence. Zosimo's labels much resemble those of Carlo, and great care is necessary to avoid mistakes. The facsimile label before us runs⁹⁴—'Fatto da me Zosimo Bergonzi l'anno 17— Cremona,' Carlo's border being used. On the other hand, his brother's⁹⁴ label is in plain large print without border, as follows: 'Nicolaus Bergonzi Cremonensis faciebat Anno 1760,' the 60 being filled in by hand.

"On the other hand, a false idea was doubtless given the jury in cross-examination by the reference to the Defendant's father. The late M. Chanot, the Defendant's uncle, was an eminent inventor of violins. His father was

⁹³ Vide A. Vidal: "Les Instruments à Archèt." Paris: 1876.

⁹⁴ A. Vidal, tom. i., pl. 28.

a celebrated maker, ranking with M. Gand, the pupil of Lupot, with M. Bernardel, M. J. B. Vuillaume, and other well-known manufacturers. Francois Chanot was born at Mirecourt in 1781. A marine engineer and a distinguished savant, he invented a violin, the explanation of which is still extant.⁹⁵ Between 1818 and 1824 he manufactured violins as a business, but shortly afterwards he again took to engineering, and he died at Rochefort in 1828, having attained the rank of an Engineer of the First Class. The facsimile of his label lies before us.⁹⁶ It is in writing, and it runs—'Chanot p. B.d'—21 Jan. 1818 Paris C. I. D. No. 268;' the initials 'C. I. D.' implying 'Capitaine, Ingenieur, Deuxii ème Classe.'

"M. Georges Chanot, his brother, was born at Mirecourt, March 26th, 1801, and he was one of the most distinguished French luthiers of his time. An etching of his portrait, published in M. Antoine Vidal's magnificent volume,⁹⁷ shows a man whose profile is not at all unlike that of Herr Wagner. After having served an apprenticeship at Mirecourt, he came to Paris in 1819, and entered his brother's manufactory to manufacture violins after Francois Chanot's new model, the patent for which is dated 1817. He afterwards worked with Clément the celebrated violin-maker, and in 1821 he was engaged in the establishment of M. Gand, whom he quitted in 1823 to establish a business on his own

⁹⁵ Hujus plena descriptio invenitur in "Description des Machines et procédés spécifiés dans les brevets d'invention," tom. xv., pag. 161. Parisiis: 1828. Est narratio hujus ante concilium Academiæ examinis in "*Moniteur Universel*," 22 Aug. 1817.

⁹⁶ A. Vidal, tom. i., pag. 38.

⁹⁷ Vide A. Vidal: "Les Instruments à Archèt." Parisiis: 1876.

account in the Rue Oblin. From 1825 to 1828 he was in the Place des Victoires, from 1828 to 1837 in the Passage Choiseul, from 1837 to 1848 in the Rue de Rivoli, and subsequently at the Quai Malaquais, where his factory, directed by his son-in-law and pupil, M. Joseph Chardon, still exists. These dates are important in testing the genuineness of his instruments. A facsimile of his label now before us⁹⁸ is in a sort of old English characters, 'Georges Chanot 1 Quai Malaquais Année 1855.' The figures 55 are inserted in writing, and the monogram 'G. C.' is enclosed in a double circle. Georges Chanot was probably the greatest expert in old Italian violins of his *époque*. In the Paris Exhibition of 1827 a violin was exhibited, manufactured by his first wife, Madame Chanot,⁹⁹ mother of the Defendant in the recent action. M. Chanot married again in 1859, and retired from business in 1872.¹⁰⁰

"M. Georges Chanot of London is the son of old Georges Chanot by his first wife. He studied *lutherie* with his father, and in 1851 he arrived in London. He worked for some time with Maucotel, but in 1858 he established a business of his own here.

"We mention these facts because newspaper leader writers, unacquainted with trade customs and ignorant of the details of the case, have, in their efforts to be

⁹⁸ A. Vidal, tom. i., pag. 38.

⁹⁹ Hanc fidiculam formosissimam ad amussim descripsit Cyprianus Desmarais in libello Archæologico: "Description d'un Violon Historique et monumental." Parisiis: 1836. •

¹⁰⁰ Chanotius major et J. B. Villaumius hanc super sepulcrum habere possunt inscriptionem unâ cum Christophoro Wrenio: "Si quæris monumentum, circumspecte." Vide notam pag. 68*.

smart, been rather hard on M. Chanot.¹⁰¹ Although the jury seemed to disbelieve it, Mr. Joseph Anthony Chanot¹⁰² was perfectly right in saying that it was a trade custom to put false labels on violins, and the fact is so well known that the label is not likely to deceive anybody.¹⁰³

"The practice of manufacturing bogus violins is not defensible from a moral point of view. The best French writers have lamented the fact, and some of the best French manufacturers have done a large business making duplicates of old instruments. At Mirecourt in the Vosges there are at least a dozen factories where Italian models are made by thousands, and in too many cases even the label is copied. No deception is attempted by the manufacturers. They openly advertise the Stradivarius, Amati, and Guarnerius models, and sell them at wholesale prices. Each maker has his model, which he pretends is the exact reproduction of the old instrument. Even the varnish has been analysed, and it resembles as closely as has been found possible the varnish made by the old Cremonese masters, who carried their secret with them to the grave. In the French Exhibition the prices of French violins were set down as varying from 3s. to £12. In all probability the Stradivarius violin which the young lady in distressed circumstances has recently been so diligently advertising in a daily paper for thirty shillings is a cheap specimen, while some of the best imitations command high prices.

¹⁰¹ "Mortuo leoni et lepores insultant, neque est jocus esse malignum."—*Horatius*.

¹⁰² Vide nota 30.

¹⁰³ Nulla falsa doctrina est quæ non permisceat aliquid veritatis.

People who cannot afford a Stradivarius costing from £300 to £800 (one is advertised in Belgium for the higher sum mentioned) will have a copy, and although they are perfectly well aware that it is a forgery, they will pay a higher price for a violin which has a false label. It is this ridiculous fashion which has sent up the price of undoubtedly genuine violins with pedigrees, and it has done more than anything else to arrest the progress of legitimate violin-making in France.

"We do not regret that this *exposé* has taken place,¹⁰⁴ as it will open the public eye to that which is quite familiar to the trade generally,¹⁰⁵ and to violin experts in particular.¹⁰⁶ But it is nonsense to lay the blame of the present case entirely on M. Chanot. Had the violin in question been a real and undoubted Carlo Bergonzi it would, we believe, have been worth about £150—whether more or less would, as Mr. Hill tersely put it, 'depend upon who the customer was.' Clearly the Plaintiff could hardly expect to obtain such a prize for £55. Whether any dealer is justified in putting on a violin, shortly before a sale, a label he knows to be false is altogether another matter."

This with the article from *Truth*, which immediately preceded it, are the two best and fairest criticisms on

¹⁰⁴ "Raro antecedentem scelestum
Deseruit pede pæna claudo."—*Horatius*.
Aliquis malo sit usus ab illo.

¹⁰⁵ Quem denique Horatii verbis appellare non possumus, "Quid rides? mutato nomine de te fabula narratur."

¹⁰⁶ Omnes, pro facto, musicarii, omnesque fidicularum mercatores, hac in occasione, cum Virgilio canere potuissent,

"Quo res cumque cadunt unum et commune periculum
Una salus ambobus erit."

this celebrated case, for it will be seen that though neither of them uphold the nefarious practice which has unfortunately become the "Custom of the Trade," yet both place the matter in a quite different light to that thrown on the subject by almost the entire force of the daily and weekly press,¹⁰⁷ and illustrate the classic maxim, "*Omnia mala exempla bonis principiis orta sunt.*"

The next feature of any importance in this case was the sale of the now Historic Violin, on May 2nd, at Messrs. Puttick and Simpson's, the well-known auctioneers of Leicester Square, which is thus described in a letter of M. Chanot, published in the *London and Provincial Music Trades Review* for May the 15th, headed "The Recent Violin Case."

"SIR,

"As I see you have taken some interest in the above case, allow me to say that, wishing to know the public opinion about the violin in question, I sent it to be sold without reserve at the last sale of Messrs. Puttick and Simpson. The violin is thus described in the catalogue :—

"*Tuesday, May 2nd*—Lot 113. A very handsome violin attributed to Bergonzi. This violin was the cause of the recent law-suit (*Hodges v. Chanot*) which created so much sensation among the musical public.'

"The violin in question was knocked down at £50 to Mr. G. A. Chanot of Manchester, who immediately sold it to Mr. Charles Fowler of Torquay for £55—

¹⁰⁷ Nunquam ad liquidum Fama perducitur.

the actual price I sold it for first. Trusting you will favour me by inserting the above in your next issue,

“I am, Sir,

“Yours obediently,

“GEORGES CHANOT.

“157 Wardour St., W.,

“May 8th, 1882.”

FUIT ILIUM!

The same letter was published in *Musical Opinion and Music Trade Review* for June 1st, and was immediately followed (in the same issue) by the following from Mr. Fowler, who thus became the owner of the Historic Fiddle:—

“SIR,

“I was much interested in reading Mr. Hugh Carleton’s letter on the above subject in the May number of *Musical Opinion and Music Trade Review*. I am very proud to be the owner of the violin which was the cause of the law-suit, having just purchased it from Mr. G. A. Chanot of Manchester, and added it to my collection. The more I examine this violin and listen to its exquisite tones, the more I am convinced that it is truly a great instrument and worthy of the Greatest of the Cremona makers.

“We all know Pressenda was not by any means an Italian maker of the first class, and I do not think that he ever—even accidentally—made an instrument worthy of the old Cremona makers. It is much more likely that such an instrument might have been produced by a Bergonzi. Anyhow, here is the violin—‘a thing of

beauty'—and good enough to have been made by Stradivarius himself.

"I have known M. Chanot and his sons of Wardour Street for many years, and have ever been treated in the most open and straightforward way by them. I have always placed the most implicit confidence in their word, and I am still ready to do so.

"So far as I am capable of judging, I believe that M. Chanot came out of the recent trial in a less muddy state than the other side. He lost both his case and his money; but of the trio, Hodges, Hill, and Chanot, I think the position of the latter is to be preferred.

"I am, Sir, etc.,

"CHAS. FOWLER.

"Villa Mentone, Torquay,

"May 11th, 1882."

This letter is interesting as coming from the owner of the "fiddle of contention" (*in fact, the "Viol of wrath"*), and valuable as coming from a good and reliable connoisseur, but it is spoilt by the last paragraph. Hodges, if he thought fit, had a right to see whether the law would support him, and the odium which has by some narrow-minded partisans been cast upon Mr. Hill for doing his duty to his client is altogether disgraceful and contemptible, as some people into whose hands such lines as the above might fall may not know, not being themselves in the musical world, that the words partiality, spite, and unfairness, and William Ebsworth Hill cannot, as all who know him must confess, exist together in the same sentence.

Another letter inclining towards the Defendant

appeared in the *London and Provincial Music Trades Review* for June 15, and ran as follows:—

“SIR,

“Permit me to inquire in your columns, Who is Pressenda? Mr. W. E. Hill, as an expert in the late trial, proved the violin in litigation ‘was undoubtedly made by Johannes Franciscus Pressenda.’ I suppose ‘whom not to know argues yourself unknown.’ I really do not know Pressenda. Will Mr. Hill, Mr. Hart, Mr. Chanut, or any of your readers say who he is? The information might be extended as to what is his epoch and of what nature is his work. In the published books he is unknown to Hart,¹⁰⁸ and I fail to find him in Forster,¹⁰⁹ nor has Engel¹¹⁰ any mention of him. Equally unmentioned in “*Luthomonographie*”¹¹¹ and in Vidal,¹¹² I have tried to trace him in my Pearce¹¹³ and my Davidson,¹¹⁴ but with no result, nor is he in

¹⁰⁸ Vide notam 9.

¹⁰⁹ “Fidiculæ, aliorumque Instrumentorum quæ arcu canuntur ab antiquis temporibus usque ad hodiernum diem, Historia,” auctoribus Gulielmo Sandys et S. A. Forster, Londini, 1864.

¹¹⁰ Nullam notam reliquit Carolus Engel (defunctus) de quopiam Musicario quam compertam habeo, nisi fortasse inveniri possit in Catalogo ejus “De Speciali Expositione Antiquorum Musicæ Instrumentorum Musæi, South Kensington,” 1872, Londini, 1873.

¹¹¹ “*Luthomonographie Historique et raisonnée: par un Amateur.*” “Francfurt, S.M., 1856.” Hic liber est sine auctoris nomine editus; sed putatur esse opus Principis Youssoupow (aut Jousoupof.)

¹¹² Vide A. Vidal, “*Les Instruments à Archèt.*” Parisiis: 1876.

¹¹³ “De Fidiculis et de Musicariis Lexicon biographicum, in quo magni Itali magistri eorumque sectatores atque imitatores usque ad hodiernum tempus colliguntur.” Londini: 1866. Auctore Jos. Pearce, jun.

¹¹⁴ “De Fidiculis et de arte, sive de Methodo earum fabricationis,” auctore P. Davidson, Glasgow, 1871. Scriptor quoad primam editionem attinet, recte judicat, sed in quartâ editione, (1881,) hic musicarius (*i.e.* Pressenda) inclusus est sub fine indicis musicariorum.

Gallay¹¹⁵ or Dr. Schebek.¹¹⁶ A violin-maker living at Turin, and producing works which can be passed on so well-known a connoisseur as Mr. Hodges, as the workmanship of a Carlo Bergonzi, which might easily be mistaken for a Stradivarius, ought surely not to be unknown to some one of the authors of these books. Then Mr. Chanot informs us that the violin has fetched at auction the sum of £50, and was immediately sold privately for £55. The man must be a maker of more than ordinary merit, and be able to take a rank above that of Lupot or J. B. Vuillaume. How, then, is it that he is to the extent indicated in this letter unknown? I commit myself to his research, and shall be much obliged by some information.¹¹⁷

"Yours truly,

"WILLIAM HARGREAVES.

"Manchester, June 3rd, 1882."

This seems to have been the last shot fired in this celebrated action. M. Georges Chanot's record of the case is simple but striking, and runs as follows:—

| | £ | s. | d. |
|------------------------------|------|----|----|
| Plaintiff's costs (as taxed) | 71 | 2 | 10 |
| Defendant's costs | 73 | 1 | 10 |
| Judgment signed for | 70 | 0 | 0 |
| Total | £214 | 4 | 8 |

"Quod fuit durum pati
Meminisse dulce est."—*Seneca*.

¹¹⁵ "Les Luthiers Italiens aux xvii et xviii siècles." Nouvelle édition du "Parfait Luthier," de l'Abbé Sibire. Paris: 1869.

¹¹⁶ "De Fidicularum Fabricatione in Italia et de Germanica earum origine." Liber scriptus est Germanico sermone; W. E. Lawson anglice reddidit. Londini: 1877.

¹¹⁷ Vide *De Pressendâ*, pag. 13.

THE FOLLOWING APPEARED IN A NEWCASTLE PAPER:—

Hodges v. Chanot.

A new version of an old Purse-py Rhyme suggested by the report of the above Action in last Monday's paper.

High *diddle diddle*,
Chanot and his fiddle,
That dealer, a cunning old coon,
Thought to *do* Mr. Hodges
By tricks-of-trade dodges,
But was taught by Judge Field a new tune.

.

The man who would own a
Bergonzi Cremona
Must pay a long price for his pains;
But both Judge and Jury,
With laudable fury,
Condemned Chanot's ill-gotten gains.

.

His spurious labels
They branded as fables,
Intended the *buyer to sell*;
So they made him refund
His fifty-five *pund*,
And the Costs of the Action as well.

A. R. W.

LIST OF WORKS REFERRED TO IN THE FOREGOING.

- A. Vidal: *Les Instruments à Archèt*. Paris: 1876.
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* This should be 1872.

- B. G. de Rinaldi. *Classica Fabbricazione di Violini in Piemonte*.
Turin: 1873.
- (Le Prince Youssouf:) *Luthomographie, Historique et Raisonnée, par un Amateur*. Anonymous. Franckfort S. M.: 1856.
- J. Pearce, Jun: *Violins and Violin Makers. Biographical Dictionary of the great Italian Masters, their followers and imitators, to the present time*. London: 1866.
- P. Davidson: *The Violin, a concise exposition of the general principles of construction, theoretically and practically treated*. Glasgow: First Edition, 1871; Fourth Edition, 1881.
- J. Gallay: *Les Luthiers Italiens aux xvii^e et xviii^e siècles, Nouvelle Edition du "Parfait Luthier" de l'Abbé Sibire*. Paris: 1869.
- Dr. E. Schebek: *The Violin Manufacture in Italy, and its German origin. Translated from the German by W. E. Lawson*. London: 1877.
- E. H. Allen. *The Ancestry of the Violin. De Fidiculis. Opusc. I.* London: 1882.

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1882. February 11: Evening Standard, Echo.
- February 13: Daily Telegraph, Globe, Daily News, Times, Standard, Morning Post, Daily Chronicle.
- February 15, March 15, May 15, June 15: London and Provincial Music Trades' Review.
- February 17: Bazaar, Exchange and Mart.
- February 22: Fun, Judy.
- February 23: Truth.
- February 24 and 27: Times.
- February 25: Moonshine.
- March 1, April 1, May 1, June 1: Musical Opinion and Music Trades' Review.

Errata.

"Quas aut incuria fudit
Aut humana parum cavit natura."

(Horatius.)

| Page | Note | line | 15 | for | cæpi | read | incepti. |
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